SPECIAL REPORT

Inmate Services and
Conditions of Custody in
Saskatchewan
Correctional Centres

Locked out

October 2002

Ombudsman
SASKATCHEWAN

Executive Summary

Introduction

> *You have been convicted of an offence and sentenced to jail. Your hands are handcuffed behind your back and you are led out of the courtroom by police. You are put into a police vehicle and taken to jail. You're frightened and your mind is racing: What is jail like? Will I be safe? Will I find help there? What is going to happen to me?*

The Saskatchewan Ombudsman's report, *Locked Out: A Review of Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres*, addresses these questions. People sentenced to a jail term are taken to a spartan but adequate facility and placed in a small cell that they may have to share with another inmate. Incidents of violence are not rare, but neither are they common; inmates are generally safe. Inmates can find help if they want it, although not necessarily all the help they need. They will serve their time and, if they are interested and able, they will probably leave the jail better equipped to live lawfully in the community.

The Review

The Office of the Provincial Ombudsman has, since its inception, investigated thousands of complaints from inmates in Saskatchewan correctional centres. We thought that a comprehensive systemic review of the four main adult correctional centres would provide a useful overview of the policy and practice of the Corrections Division of the Department of Corrections and Public Safety. We were hopeful that the application of the fairness criteria that guide our office might lead to changes in policy and practice that would, in turn, pre-empt some complaints and generally lead to a more effective and fair system.

The secondary purposes of the review were threefold:

- To establish a collaborative relationship with the Corrections Division so as to encourage a process where, in the future, substantive issues relating to corrections and correctional facilities can be addressed in a timely and non-adversarial manner;
- To determine the source of recurring and substantive issues that have been the focus of numerous investigations by the Office of the Provincial Ombudsman; and
- To develop a comprehensive set of principles that will guide policy development in the future.

The process used in the course of the review was substantially different than our usual practice. Usually, we conduct confidential, independent investigations. We determine facts, reach conclusions and make recommendations when appropriate. In the case of the review, however, we worked in no small measure collaboratively with the Corrections Division and other interested parties. Our intent was to identify areas where the policy or practice in place was either deficient, not being followed, not in accordance with law, or unfair. Indeed, as the review progressed, the Corrections Division changed policies and practices, sometimes on its own initiative and sometimes as a result of our findings.

The other aspect of the review process that was markedly different from our usual practice is that our recommendations arise directly from a set of eleven guiding principles that were developed as the review progressed and that assisted in identifying best practices.

The Report

The Report is premised on the recognition that inmates are sent to jail as punishment, not for punishment. The punishment is the exclusion from normal society: it is the loss of freedom, the loss of choices, and the loss of association with friends and family. While the community at large obtains a measure of safety and security during the time that offenders are incarcerated, the average sentence of incarcerated offenders is only three months. Generally, none will serve more than 16 months. Consequently, it is important that all of society—not just the Corrections Division—helps to ensure that a jail is not simply a place of detention, but rather is truly a place for respectful and effective rehabilitation.

The Report addresses thirteen aspects of inmate services and conditions of custody in Saskatchewan's correctional centres. They are:

- Bed Space
- Inmate Living Conditions
- Inmate Property Control
- Programming
- Case Management
- Medical Services
- Suicide and Self-Injury
- Discipline
- Segregation
- Remand Inmates
- Services for Aboriginal Inmates
- Staff Training
- Regina Correctional Centre

The Recommendations

The Report contains 147 recommendations and three main themes:

+ The public has a vested interest in the rehabilitation and reintegration of inmates.

People who have broken the law and are subsequently incarcerated remain members of the community, although temporarily removed from it. The kind of community member someone will be when he or she is released will depend in no small measure on their experiences in jail. It is critical to the advancement of community safety that there be programs and activities within correctional centres that improve an inmate's ability and willingness to become a responsible, law-abiding citizen.

+ Inmates are entitled to be treated with dignity and respect.

The fact of incarceration does not mean that inmates lose the right to humane treatment. In fact, inmates' right to humane treatment is recognized in the United Nations Convention on Civil and Political Rights, to which Canada is a signatory. This right is recognized in the Corrections Division's guiding principles.

+ Inmates are to be treated fairly and in accordance with the rule of law.

People who are incarcerated do not lose all of the rights of free citizens, only those rights inconsistent with incarceration and then, only to the degree that is thereby necessary. We live in a country governed by the rule of law, and inmates retain their right to be protected by the law. Correctional centres are also governed by the law and are consequently constrained to administer their services in accordance with the law.

The major recommendations of the Review Report include the following:

+ Provide work, education and/or training opportunities for all inmates, including remanded inmates and segregated inmates.
+ Provide effective programming for inmates with mental or learning disabilities, comparable to the programming available to other inmates.
+ Provide case management and programming to segregated inmates and remanded inmates.
+ Enhance programming designed to meet the mental health needs of the inmate population.

- Take steps to eliminate double-bunking and dormitories.
- Incarcerate inmates at the centre nearest their home geographic area.
- Provide detoxification programming comparable to what would be available in the community.
- Establish a single authority with the required expertise to oversee the delivery of medical services.
- Improve inmate access to mental health professionals.
- Refine policies regarding inmate property and property handling.
- Bring the living environment in all four centres up to equivalent standards.
- Restructure the membership of discipline panels so that they entirely or at least partly consist of members who are not employees of the Corrections Division, or at least not employees of the correctional centres.
- Afford inmates appearing before discipline panels and security review panels the opportunity to be represented by an agent and explore the willingness of appropriate non-government agencies to provide competent representation.
- Bring the Main Complex of the Regina Correctional Centre up to current building standards or build a new facility.

Conclusion

In the face of increasing pressures on available bed space, out-of-date buildings and finite resources, Corrections is doing a creditable job. Corrections' employees are genuinely interested in inmates and in their responsibility to help them address criminogenic and other needs. But there is room for improvement.

Our recommendations identify areas where current practice falls short of best practice, human rights obligations and fairness generally. We want to ensure that no opportunity to help inmates become law-abiding citizens is missed and we want the safest and healthiest communities possible. The two are very directly related.

November 27, 2002
Office of the Provincial Ombudsman
Saskatchewan

Provincial Ombudsman

November 2002

The Honourable P. Myron Kowalsky
Speaker of the Legislative Assembly
Province of Saskatchewan
Legislative Building
REGINA, Saskatchewan
S4S 0B3

Dear Mr. Speaker:

It is my privilege to submit to you and to the Members of the Legislative Assembly, pursuant to section 30(3) of *The Ombudsman and Children's Advocate Act*, a special report titled "Locked Out: A Review of Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres."

Respectfully submitted,

Barbara J. Tomkins
OMBUDSMAN

Ombudsman
SASKATCHEWAN

The Review of Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres
is the work of the Office of
the Provincial Ombudsman for Saskatchewan.
The report is available on our website at

www.legassembly.sk.ca/officers/ombuds.htm

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ACKNOWLEDGEMENTS

The Review of Inmate Services and Conditions of Custody was truly a collaborative work that involved the support, advice and observations of hundreds of people. The genuine interest and concern that so many showed for perhaps the least valued of our citizens bodes well for inmates and for correctional services.

I would like, first, to acknowledge the help we received from community agencies and individuals who are stakeholders in the delivery of correctional services. This list of stakeholders includes the Federation of Saskatchewan Indian Nations, John Howard Society, Elizabeth Fry Society, Métis Nations, elders, chaplains and medical professionals.

The inmates themselves deserve special mention. Our frequent discussions with inmate committees at all four correctional centres were invariably productive. These inmates showed a thoughtful desire for meaningful improvement and a good understanding of the purposes of incarceration.

The level of co-operation and support we received from all correctional staff members speaks to their dedication to their work. John Whyte, Deputy Minister of Justice, and Don Head, Assistant Deputy Minister of Corrections and Public Safety, supported this work from the beginning and encouraged the participation of their staff. Neil Yeates, Deputy Minister of Corrections and Public Safety, came on board late in the review and added his support.

I would especially like to acknowledge the efforts and patience of Corrections' central office staff, centre directors and deputy directors, and chief shop stewards who were always ready to help and provide us with constructive feedback on our findings. Terry Youngman, Senior Standards and Inspections Officer, and his temporary replacement, Heather Murray, deserve special mention for their work as principal liaisons with my office during the course of the review.

All of the staff of the Office of the Provincial Ombudsman contributed to the review, whether by offering support, constructive comment or identifying issues arising through ongoing investigations. All were required, from time to time, to accept and accommodate the demands that this work placed on others in the office. I appreciate their doing so.

Certain members of the staff warrant special mention. Susan Krznar undertook the investigation and first draft of a major section of the review. Markian Lozowchuk took the photographs in the report and patiently did the layout amid ongoing changes. Kjersten Hordern edited the text and improved it greatly. While only temporary employees of the office, all three showed sincere dedication to the work.

Gordon Mayer, Murray Knoll, Joni Sereda and Laura Pun provided wise counsel on many occasions from the beginning of the work and have spent countless hours reviewing and discussing the text. Their work helped ensure the consistent direction of the review.

Roy Hodsman was primarily responsible for the research, investigation, consultation, analysis and reporting in this work. His interest in and dedication to the work remained throughout and I think that his intelligence, integrity and common sense are evident in the text of the report.

Finally, I am grateful to the thousands of inmates who have, over the past twenty-nine years, brought thousands of complaints to my office. Their desire for fair treatment has, I think, expedited the evolution of custodial conditions and sometimes provided a positive challenge to corrections philosophy.

INTRO

Every society has to contend with individuals who either won't or can't comply with accepted codes of conduct or laws. Attempts to deter individuals from violating a society's laws have ranged from an emphasis on proper socialization and education to threats of extreme punishment. In many societies throughout history, the ultimate punishment of death has been used, and not necessarily as a last resort. For the last several hundred years, western society has preferred some form of temporary isolation in an austere environment characterized by relatively harsh conditions. It is only in the last few decades that correctional philosophy has moved to a preference for isolation accompanied by work, education and training designed to rehabilitate inmates and help them reintegrate into the general community.

In Saskatchewan, the transition to a rehabilitative model of corrections began in the 1960s. Since then, the training and responsibilities of corrections staff have evolved to reflect the new model. Correctional centres have also undergone changes. In the early 1980s, in both Prince Albert and Saskatoon, the Corrections Division of the Department of Justice (which became a division of the Department of Corrections and Public Safety in 2002) built new correctional centres designed to facilitate rehabilitation. These units are more open, inmates have solid doors on their cells rather than bars, there is a strong emphasis on normal living conditions, and staff members work more closely with inmates. In 1988, Corrections constructed three detached units at the Regina Correctional Centre, which are very similar to units in Prince Albert and Saskatoon. The transition to modern, rehabilitative correctional facilities, however, is still not complete. Both the main complex at the Regina Correctional Centre and the Pine Grove Correctional Centre reflect the old model of Corrections, an unfortunate circumstance that affects inmates' chances of successful rehabilitation.

Corrections' transition to a rehabilitative model is hindered not only by old and inappropriate facilities but also by public perception. The average citizen still thinks of jail as a place where inmates go for punishment rather than as punishment. The fact that inmates retain all the rights of free citizens except those that are necessarily lost as a result of incarceration is unknown to most. One of those rights is the right to be treated humanely. Yet, many are shocked to discover that meals are varied and nutritious, that inmates receive education, training and counselling as well as exercise and leisure time, that inmates can have televisions and radios, or that some inmates are permitted to occasionally visit their families on the outside. Not only are all these privileges part of the right to be treated humanely, they are also part of an overall rehabilitation program that has been shown to work.

All inmates were at one time members of the community, and all inmates will soon be members of the community again. In fact, the average sentence for inmates in Saskatchewan is just three months. What kind of community members they will be will depend in large part on their experiences in jail. If conditions were poor and Corrections were to do nothing but guard inmates, there would be no reason to expect them to return to the community any different than when they left. In fact, research has shown there would be good reason to expect them to be more likely to offend.

[1] Louise Arbour, Commission of Inquiry into Certain Events at The Prison For Women in Kingston (Public Works and Government Services of Canada, 1996), 182.

INTRO

Our communities have a large stake in Corrections' efforts. The safety of our communities depends in part on how well Corrections performs its job. It is important, therefore, that inmate services and conditions of custody do not detract from, but rather further, the goal of rehabilitation. Thus, policy and procedures must be lawful, fair and reasonable, and correctional facilities need to reflect current correctional philosophy. Corrections cannot accomplish all this on its own. It is a publicly funded government institution, and as such it needs the public's support if it is to effectively deliver rehabilitative programs.

Although Corrections' official philosophy fully embraces the rehabilitative model, in practice the transition from a power and control model is not complete. Much of what we found in the course of our review reflects the incompleteness of this transition. Although a complete transition is likely not possible, we support Corrections' efforts to that end.

I stated at the beginning of this review that this was not going to be an exercise in fault-finding, but rather a collaborative effort in which the Corrections Division, other stakeholders and my office would work together to ensure that inmates in Saskatchewan's correctional centres were treated lawfully, respectfully and fairly. I am pleased to report that the Corrections Division and other stakeholders have consistently been co-operative and supportive throughout the review. We are well aware of the complexities attendant upon the management of an incarcerated population, and we understand that in a large organization things sometimes go wrong. I trust the spirit of co-operation that has so far imbued this exercise will in no way be diminished by what I hope will be perceived as understanding and constructive comments.

One of the challenges of reviewing any system is that systems are continually evolving. The correctional system in Saskatchewan is no exception. Improvements and changes to bring the correctional system in line with the rule of law, the duty of fairness, and best practices are ongoing. Consequently, one should not be surprised that many of the recommendations following our examination of correctional operations mirror the results of Correction's own internal analyses of its operations. I do not believe this diminishes the importance of an independent review. Corroboration from an independent source will serve to reinforce what's right.

This review addresses thirteen areas that we believe encompass those aspects of correctional operations that have the most significant impact on inmate services and conditions of custody. It was simply not possible to address all the issues that could be addressed. Instead, we attempted to strike a balance between addressing issues that are so general they defy resolution and issues that are too small to be of much significance. Those who disagree with the lines we have drawn can take comfort in the knowledge that this report does not discuss every issue we examined, and the review is most certainly not the last opportunity to bring unfair practices to light. We will continue, as always, to address issues that are presented to us by inmates and that come to light through other avenues.

I announced my intention to review inmate services and conditions of custody in Saskatchewan's correctional centres in October 1999. At that time, I was hopeful that the review would be completed in about a year. That time frame, in retrospect, was very optimistic. The complexity and depth of the task far exceeded our expectations. In the end, I believe I can say without exaggeration that the task was very ambitious for a small office with limited resources.

BACK

Before embarking on the report, the reader may find it helpful if we provide a brief overview of the Corrections Division of the Department of Corrections and Public Safety and the correctional facilities subject of this report.

The Corrections Division offers a range of programs for varying levels of offender care, control and supervision. These programs are delivered through three operational systems: the Community Operations Branch, Community Facilities Branch and the Institutional Operations Branch. The Community Operations Branch assists the court by providing essential information for interim release or sentencing purposes (bail and pre-sentence reports), and promotes the responsible behaviour of offenders by providing a meaningful and socially productive level of control in the community. The Community Facilities Branch provides community residential services for low-security offenders who require assistance to function in the community. The Institutional Operations Branch is responsible for the correctional institutions that are the focus of this review.

The Institutional Operations Branch administers programs for the care and custody of inmates sentenced to terms of imprisonment of less than two years and inmates who have been remanded into custody by the courts prior to trial. The Branch administers thirteen correctional facilities as follows:

community correctional centres located in North Battleford and Buffalo Narrows;
correctional camps located at Besnard Lake and Waden Bay;
an urban camp in Saskatoon;
the St. Louis Impaired Driver Treatment Program; and
four provincial correctional centres located in Regina, Prince Albert (one centre for men and one for women) and Saskatoon.

Each of the provincial correctional centres in Regina, Saskatoon and Prince Albert—the focus of this review—is headed by a Director who is assisted by two or three Deputy Directors. The Deputy Directors are each assigned primary responsibility for programs, operations, administration or security. They are in turn assisted by Assistant Deputy Directors and Team Leaders, who manage units comprising on average twenty inmates. The majority of the staff at each centre are Corrections Workers who are responsible for the day-to-day care and custody of the inmates in accordance with policy, directives and local rules developed by Head Office, the Directors and Deputy Directors. Their work is complemented by many others including shop supervisors, admitting staff, administrative support staff, medical staff, maintenance staff, food services staff, counsellors, abuse intervention instructors, security staff, and in Saskatoon, a psychologist. Each centre also has service contracts with elders, doctors, dentists, chiropractors and psychiatrists.

G P

X

Inmates are sent to jail as punishment, not for punishment.

Inmates retain all of the rights, both domestic and international, of free citizens except those rights that are necessarily limited as a result of incarceration.

Inmates are to be treated fairly and in accordance with law.

Inmates and Corrections are responsible for their actions and the reasonable consequences thereof.

Inmates are entitled to reasonable and respectful treatment consequent on their inherent dignity and value as human beings.

Inmates are entitled to equivalent conditions and privileges irrespective of the specific provincial correctional center in which they serve their sentences or are held, except where differences can be reasonably justified.

Remanded inmates are entitled to conditions of custody at least as favorable as those of sentenced inmates.

Inmates of aboriginal ancestry are entitled to recognition of their distinct identity, and, with due regard to safety and security, to practice and promote their cultural traditions.

Inmates are entitled to the least restrictive measures necessary to maintain the security of the institution and the safety of inmates and staff.

Corrections is obligated to ensure that its employees have the training and resources necessary to meet their responsibilities.

Corrections has a responsibility to the community to maximize its efforts to rehabilitate and reintegrate inmates.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

SASKATCHEWAN

Bed Space

Introduction

The demand for bed space in Saskatchewan's four correctional centres has been increasing since at least the early 1980s. This was evidently not anticipated, as both the Saskatoon and Prince Albert correctional centres, which became operational in 1981, were housing more inmates than their designed capacity by 1990. They accomplished this by placing more than one inmate in a cell (double-bunking) and converting program space and sections of some units to open dormitories. This practice gave rise to the term "operational capacity", which means the maximum facility population level at which daily operations and programs can be conducted safely and effectively.

By 1990, all four centres were exceeding their design capacity but were still able to meet rising bed space demand. In a somewhat fortunate coincidence, at the same time that demand for bed space was increasing, contemporary research was showing that programs delivered in a community environment result in lower rates of recidivism than those delivered in a traditional correctional institution. As a result, Corrections was able to ease bed space demand and at the same time incorporate new research results by initiating several programs that involved supervising low security inmates in the community.

Corrections' response to bed space demands has had consequences for both inmates and staff. Working at operational capacity has resulted in less privacy for and more tension among inmates, and increasingly strained relations between inmates and staff. Moving low-security inmates from the correctional centres into the community has resulted in a remaining inmate population that is, on average, more aggressive and violent than inmate populations have been in the past. In fact, it has occasionally been the case that placements in community programs are left empty because there are no eligible low-security inmates in the correctional centres to fill them. These factors, coupled with an increase in gang-related activity, have created an environment in Saskatchewan's jails that is less safe for both inmates and staff.

Although the demand for bed space has been relatively stable for a couple of years, there are indications that the long-term trend will continue and demand will increase. For example, a Statistics Canada report published in May 2001 states that Saskatchewan's case rate for youth courts was more than double the national average.[1] Many of these young people will progress to adult court. Since many low-security inmates will be supervised in the community, bed space will be required primarily for medium- and high-security inmates. Under these circumstances, it remains to be seen how Corrections will address bed space demand that exceeds operational capacity. Unless it is decided that the criteria for placement under community supervision should be and are relaxed, the only answer at this point appears to be additional bed space.

The rest of this section addresses Corrections' response to increased bed space demand and the implications this has had for inmates and staff.

Corrections' Response to the Increase in Bed Space Demand

At the same time that Corrections was expanding the operational capacity of its correctional centres, it initiated several community-based pre- and postincarceration programs that reduce the number of bed spaces required for remand and sentenced inmates.

All of the pre- and postincarceration programs are administered in accordance with strict criteria, including that the inmate has to present a low risk of reoffending to avoid placing the

[1] Statistics Canada, "Youth Court Statistics," *The Daily*, May 30, 2001.

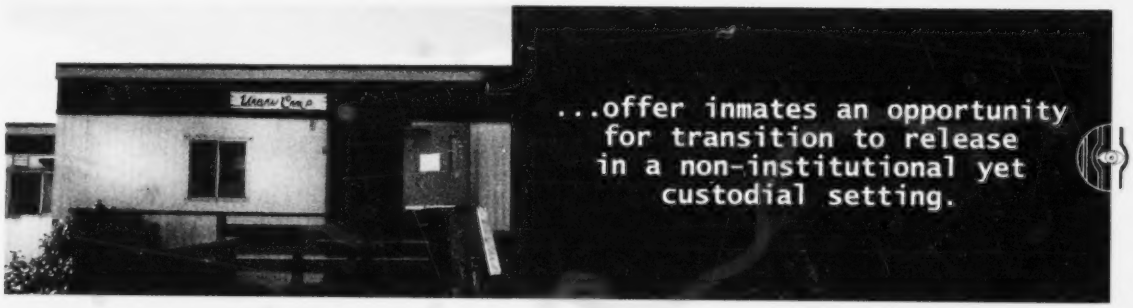
community at risk. Many inmates are not eligible for these programs.

Each of the programs involves supervising inmates in the community rather than in a correctional centre. The level of supervision required is determined by the level of risk the inmate presents to the community and the likelihood that he or she will succeed in completing the program.

Bail Supervision is probably the best-known preincarceration program. Under this program, people accused of a crime that would not otherwise be eligible for bail are released on bail under the supervision of a probation officer.

Ideally, this system would enable inmates to serve time at the centre closest to their home, but this does not always work out because the catchment areas' boundaries are occasionally redrawn to accommodate shifting bed space demand. For example, the Regina catchment area currently includes inmates sentenced in Meadow Lake.

To address short-term, significant changes in bed space demand, Corrections will redirect inmates sentenced to serve time at one centre to another. Since Regina has the largest capacity, inmates are most commonly redirected to Regina.



...offer inmates an opportunity for transition to release in a non-institutional yet custodial setting.

Examples of postincarceration programs include community training residences, camps, and the Administrative Release Program. The first two programs offer inmates an opportunity for transition to release in a non-institutional yet custodial setting. The latter allows inmates to be released from jail up to 60 days prior to their statutory release date. Conditions are attached and varying levels of supervision are imposed. The penalties for violation of any of the conditions include a return to jail.

By 1995, the combined effect of the pre- and postincarceration programs was a reduction in bed space demand by approximately 460 spaces. Even so, Corrections was still operating above design capacity.

Another way Corrections has managed bed space demand is by establishing three catchment areas for the three men's centres (Pine Grove serves women from the entire province). This means that inmates sentenced within a certain geographic region serve their time at the correctional centre in that area.

The Prince Albert Healing Lodge, which opened in 1997, has had a small impact on bed space demand. The healing lodge delivers a holistic, spiritual healing program that respects Aboriginal cultural traditions. It is designed for low-risk inmates who are considered likely to benefit from such a correctional program while serving a custodial sentence. The lodge has room for twenty-five inmates from the provincial correctional system and five from the federal system.

Although the above measures have been effective in reducing bed space demand, some correctional centres still have to address populations that occasionally exceed their operational capacity. One method of dealing with excessive bed space demand is to transfer some inmates to another centre. Inmates who volunteer for a transfer are moved first, and then the most recent admissions.

Centres normally transfer sentenced inmates with an assurance that they will be returned when space permits. Corrections estimates that most inmates are returned within two weeks to one

month; however, we are aware of some inmates who have remained outside their home area for much longer.

Since transfers usually mean moving sentenced inmates away from their home area and consequently limiting their community supports and contact with family and friends, they also reduce opportunities for programming in the community. As a result, the inmates' opportunities for rehabilitation and reintegration are diminished.

Remand inmates are occasionally transferred when remand space is full. The transfer of remand inmates can be just as disruptive as it is for sentenced inmates, and in some cases even more so due to the complications that arise as a result of reduced contact with their lawyers.

Another response to bed space demand is to encourage inmates who are eligible for early release programs to apply for early release and to expedite applications that are pending. This can be effective in reducing demand, but it raises the question of why Corrections doesn't do this as a matter of course.

Assessing Corrections' Response

It is difficult to assess the effectiveness of Corrections' response to bed space demand because some of the factors that can significantly affect it have changed. Some of these changes were predicted and some were not. For example, the White Gull Camp north of Prince Albert was closed, but this was balanced by the opening of the Prince Albert Healing Lodge.

There has also been a change in the types of crime being committed. According to the Canadian Centre for Justice Statistics' Uniform Crime Reporting Survey, incidents of violent crime in Saskatchewan have risen from 13,051 in 1995 to 17,025 in 2000. In addition, inmates serving intermittent time became eligible for conditional release, and incarceration of fine default inmates ceased.

Perhaps the most significant change resulted from the Supreme Court decision in *R.* v. *Gladue* (1999 1 SCR), which encouraged alternative sentencing for aboriginal inmates. Finally, the general population has become less tolerant of crime and is demanding harsher punishment.

Some of the above changes have assisted Corrections in managing bed space demand, while others have worked against them. Regardless of the net effect, Corrections has managed to bring bed space demand within operational limits, at least for the time being.

In 1995, there was a shortage of approximately 75 bed spaces in the Prince Albert catchment area, which meant inmates had to be transferred to Regina and Saskatoon. At the same time, there was a shortage of 20 bed spaces in the northern catchment area, which meant transferring inmates to Prince Albert. By 2002, these shortages no longer existed, owing to a favourable combination of crime trends and pre- and postincarceration programs based in the community.

While the number of inmates in correctional centres has recently remained within operational limits, increasing numbers of remand inmates nevertheless pressure the system. The average daily remand count increased from 179 in 1995 to 304 in 2001. In addition, the length of stay for remand inmates increased substantially from 16.4 days in 1997-98 to 25 days in 2001-02.

Implications for Inmates

The demand on bed space, besides presenting substantial operational problems for Corrections, also results in undesirable consequences for inmates. Reduced privacy and diminished access to limited resources are addressed in the section on Living Conditions. Other important issues are discussed below.

Reduced Programming Opportunities

To meet the demand for bed space, rooms that were originally designated for programs are being used as dormitory space. This limits programming opportunities. At the same time, many low-risk inmates are being placed under community supervision, leaving primarily medium- and high-risk inmates in the correctional centres.

The programming needs of the medium- and high-risk inmates are greater than those of the lower-risk inmates. This means that the programming needs of the average inmate in the centres are increasing at the same time that programming opportunities are decreasing. If Corrections is to meet its rehabilitation and reintegration objectives, one or both of these trends will have to be reversed.

Corrections is aware of this problem and has drafted an Integrated Case Management Strategy (discussed fully in the section titled "Case Management") that, when fully implemented, will attempt to meet the programming needs of the inmate population.

On the other hand, many of the factors that increase bed space demand are beyond Corrections' control, including rising crime levels, changing socio-economic conditions, and public demand for harsher punishments.

COMMENDATIONS

- For the implementation of progressive community-based programs that meet the needs of both the community and the inmates, and at the same time reduce bed space demand in the correctional centres.
- For the Integrated Case Management Strategy, which will address the criminogenic needs of all incarcerated inmates when fully implemented.

Incarceration Outside of an Inmate's Home Area

Inmates who are incarcerated outside their home area face special challenges. For these inmates, there are fewer opportunities for community programming because they no longer have access to their local support network. They also receive fewer visitors, as friends and family are not close by and often have to travel long distances and spend a lot of money for visits that last for only a couple of hours. Some of these inmates and their families cannot even afford long-distance phone calls.

So far, there have been few concessions for inmates who are incarcerated outside their home geographic area. When the Regina catchment area was redrawn to include the north-west portion of the province, inmates who were held a long way from home received no special consideration other than modified visiting arrangements for families who had travelled a long distance to visit them.

For inmates who are transferred outside their home area as part of Corrections' effort to manage bed space availability, there is an unofficial policy of paying for some long-distance phone calls. In addition, if a family is unable to accept collect calls due to restrictions imposed by their

phone company. Corrections will pay for some calls home. However, this policy is controversial, as many inmates who were sentenced in the Regina catchment area, which includes southern and north-western Saskatchewan, are further away from their home than some of the inmates who are transferred from another area, yet they receive no concessions.

While some male inmates may find themselves incarcerated far away from home, this is a common experience for female inmates, as the Pine Grove Correctional Centre in Prince Albert is the only facility for women in Saskatchewan. On average, about two-thirds of the inmates at Pine Grove are from Regina, Saskatoon, or northern Saskatchewan. All of these women experience the same difficulties as men who are incarcerated outside of their home area.

To Pine Grove's credit, it routinely allows special and extended visits to accommodate visitors travelling long distances, and pays for weekly long-distance calls for inmates who don't have the resources to pay for phone calls themselves.

Inmates have no legal right to be incarcerated near their home. Separation from family and community supports, however, is counterproductive to Corrections' rehabilitative efforts.

In the case of male inmates, since incarceration outside one's home area is the exception, it constitutes a condition of confinement that is harsher than that experienced by the vast majority of other male inmates. In this sense, it is clearly not fair.

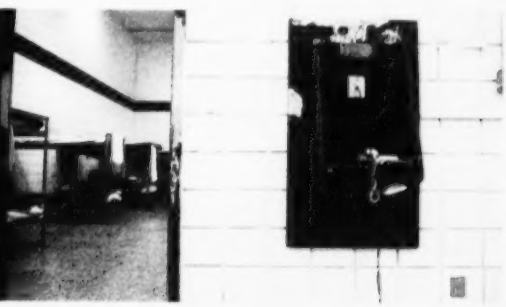
COMMENDATION

+ To the Pine Grove Correctional Centre, for recognizing and addressing the additional challenges faced by inmates from outside the Prince Albert area.

RECOMMENDATIONS

+ Incarcerate all inmates at the centre nearest their home geographic area.
+ Provide concessions to inmates who are incarcerated outside their home geographic area to compensate for their isolation. For example, subsidize long-distance phone calls and travel expenses, and increase visiting privileges.
+ Limit the time that an inmate is incarcerated away from his or her home area.

The situation has also resulted in reduced privacy, elevated tensions, and an increased risk to health and safety for both staff and inmates.



Conclusion

An increased demand for bed space is straining the correctional system in Saskatchewan. Although the justice system has attempted to contain the demand through pre- and postincarceration community-based programming, correctional facilities are operating beyond their design capacity.

This has resulted in the use of much-needed program areas for bed space at the same time that the program needs of incarcerated inmates are rising. The situation has also resulted in reduced privacy, elevated tensions, and an increased risk to health and safety for both staff and inmates. All of these factors put together have resulted in an environment less conducive to rehabilitation and reintegration. None of this bodes well for community safety. To make matters worse, a future increase in bed space demand is likely.

To date, Corrections has responded to increasing bed space demand by placing low-security inmates in community programs when appropriate, but the number of medium- and high-risk inmates remaining is growing. As a result, the correctional centres may soon find that the bed space demand for medium- and high-security inmates exceeds operational capacity.

Corrections faces a dilemma. The increased demands on the correctional system and the need for expansion are taking place at the same time that the public is demanding improvements in other areas such as health care, farm aid, social services, education and highways.

This problem is not going to go away. We are likely to see a continued increase in bed space demand, and steps must be taken to ensure public recognition of the needs of the correctional system and public support for enhanced correctional services designed to minimize the rate of recidivism.

Bed Space

RECOMMENDATIONS

- Incarcerate all inmates at the centre nearest their home geographic area.
- Provide concessions to inmates who are incarcerated outside their home geographic area to compensate for their isolation. For example, subsidize long-distance phone calls and travel expenses, and increase visiting privileges.
- Limit the time that an inmate is incarcerated away from his or her home area.

COMMENDATIONS

- For the implementation of progressive community-based programs that meet the needs of both the community and the inmates, and at the same time reduce bed space demand in the correctional centres.
- For the Integrated Case Management Strategy, which will address the criminogenic needs of all incarcerated inmates when fully implemented.
- To the Pine Grove Correctional Centre, for recognizing and addressing the additional challenges faced by inmates from outside the Prince Albert area.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

2

Inmate Living Conditions

Ombudsman
SASKATCHEWAN

Inmate Living Conditions

Introduction

The subject of living conditions covers many aspects of the correctional setting ranging from the quality of food to inmate safety. Addressing every issue that affects the inmates' living environment is not warranted; instead, we have considered only those issues that we believe are the most noteworthy.

In her inquiry into events at the federal Prison for Women in Kingston, Ontario, Madame Justice Arbour commented on living conditions and provided the following as a reflection of international standards:

> *...Living accommodation which is appropriately lit, ventilated and cleaned; nutritional food well prepared and served; appropriate bedding and clothing regularly laundered; regular exercise and sports; regular access to medical services; educational, vocational training, and work opportunities as part of daily life; access to religious representatives; access to books and other educational and recreational opportunities (in Canada radio and television); social case work and other counselling to assist the inmate towards a law abiding and self supporting life after release; and an ongoing opportunity to remain in contact with friends and family.*[1]

In addition to providing an environment meeting or exceeding the standards described by Arbour, correctional institutions legally owe a duty of care to inmates in their custody. This means, among other things, that they are required to provide a safe physical environment, reasonable access to health services, and protection from harm, whether self-inflicted or inflicted by others.

Efforts to minimize the risk of physical and/or psychological injury to both Corrections staff and inmates need to accommodate both the rehabilitative objective of the correctional institution and the behavioural profile of the inmate population.

A common response to concerns about safety is the practice of isolating the most unpredictable and violent inmates in individual cells and allowing only a short period of solitary exercise outside the cell each day. The intent, of course, is to minimize safety and security risks, but the inevitable result is an environment poorly suited to rehabilitation.

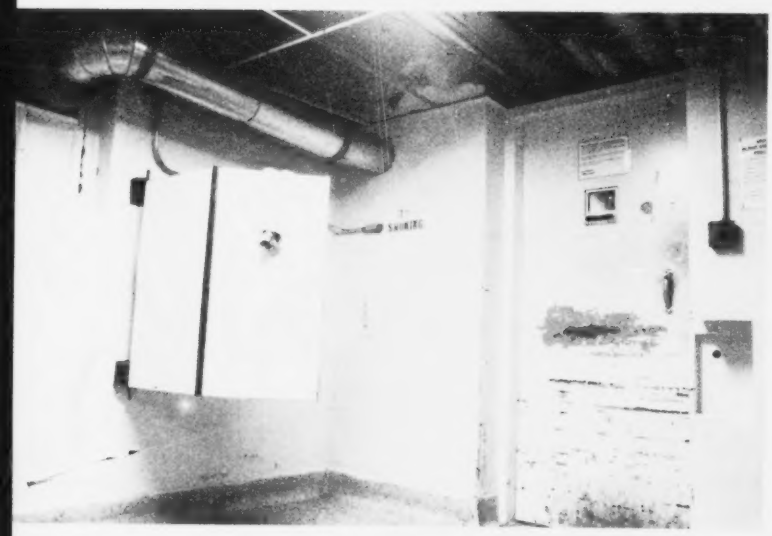
The challenge in this situation is to find a workable balance that results in a safe environment for both inmates and correctional staff without compromising rehabilitative efforts any more than necessary.

With regard to providing a safe environment, it is important to note that each centre has an Occupational Health and Safety (OH&S) Committee that plays an active role in ensuring staff safety. Since many issues that concern staff safety also affect inmate safety, these committees indirectly play an important role in ensuring a safe living and working environment for inmates.

In the course of our review, we discovered that in general, the centres are well managed and the inmates, for the most part, feel safe. We did, however, uncover areas where improvement is needed, such as bed space management, building design, and daily regime. We are also concerned about the lack of consistency among the four centres on some issues.

There is a risk that some readers will conclude from our observations in this section that living conditions in the correctional centres are too good for criminals. Before coming to that conclusion, the reader will want to consider that inmates in the correctional centres serve their sentences in an environment where their liberty is severely restricted. This loss of liberty is the punishment for their offence. It affects every moment of an inmate's waking life, and only those who have had to cope with this loss can truly appreciate its severity.

[1] Louise Arbour, *Commission of Inquiry into Certain Events at The Prison For Women in Kingston* (Public Works and Government Services of Canada, 1996), 11.



Inmates serve their sentences in a large, spartan institution that suffers the limitations of most large residential institutions: the food is average, privacy is limited, and the daily routine is monotonous. We strongly doubt there are many people who would willingly trade their freedom for life in a correctional centre for any reason.

Entering Prison

The Strip Search

All inmates undergo a strip search when they are admitted to a correctional centre. According to the inmate representatives, the four correctional centres are not consistent in the privacy afforded during the search.

Inmates in the Prince Albert and Pine Grove correctional centres had no complaints about privacy. However, inmates in Saskatoon are stripped in an area that provides a direct line of sight to the reception area, where women are working.

In Regina, the strip search room for new admissions does not present any significant privacy issues. However, inmates leaving for or returning from court or temporary absence are searched in a sally-port that is monitored by closed-circuit camera. Some inmates expressed concern that the intimate search is observed by female staff members in the control room.

The Regina Correctional Centre responded that strip search rooms are as private as possible given the physical limitations. The cameras in the sally-port are there for security reasons because staff members are often locked in the room along with the inmates. There is a privacy screen, but it can provide privacy to only one inmate at a time, and there are often several inmates in the room.

RECOMMENDATION

+ Ensure that when inmates are stripped, it is done with minimum affront to their dignity and is not witnessed by members of the opposite sex, either directly or indirectly.

Contacting Family Members

Families of newly admitted inmates need to know where their son, daughter, sibling or spouse is and if they are all right. Since the first few days in custody are often very stressful, especially if it is a new experience, inmates need the support of their families as soon as possible. Remand inmates are entitled to call their families after they are admitted to the correctional centre, but may not get an opportunity to do this for some time.

Inmates in Saskatoon's remand units thought it would be difficult for a new inmate to get a turn to use the phone, because other inmates control the phones on the units. Inmate representatives in other centres did not raise this as a concern.

Even when inmates can get a turn to use the phone, making long-distance calls can be a problem. Remand inmates have to call collect, which is difficult for some families. Inmates were generally unaware that corrections workers have the discretion to allow them to use the staff phone for long-distance calls.

At this time, there is no policy addressing newly admitted inmates' needs to let their families know where they are and that they are safe, and no policy advising staff members that they have the discretion to let inmates use the staff phone if they are not able to make a collect call.

RECOMMENDATIONS

+ Draft policy to facilitate communication between newly admitted inmates and their family members or close relatives, preferably on the first day of incarceration.
+ Draft policy advising corrections workers that they have the discretion to let inmates use the staff phone if they cannot make a collect call.

The First Nights in Jail

When asked about their experience of the first few nights in jail, all inmates claimed that they were very stressful, and that they received little support from staff members. Of course, not all new arrivals are there for the first time. Many inmates are familiar with the routine and cope well enough. For those with no prior experience, however, it is not surprising that the experience is intimidating.

In Saskatchewan, the situation of first-time inmates and their special needs is not addressed in policy. All inmates receive an orientation when they are placed on a living unit, but the system relies on the good will of staff members to help inmates who are having trouble adjusting. This might work if it were obvious who was having trouble but, inmate culture being what it is, an open display of emotional distress cannot be expected.

In some jurisdictions in England and Wales, arrangements for the first night in custody include placement in a designated and appropriately equipped cell to ease the adjustment to prison life for first-time inmates. Her Majesty's Chief Inspector of Prisons for England and Wales recommended that this be done in all prisons in England and Wales.[2]

This idea has merit and should be considered by Corrections. At the very least, more recognition of the additional stress experienced by inmates spending their first nights in jail is in order.

RECOMMENDATION

+ Ensure that both policy and practice recognize the special circumstances of inmates serving their first few nights in jail.

Overcrowding

> *Prison overcrowding has many negative effects upon inmates. Research has demonstrated that prison overcrowding creates competition for limited resources, aggression, higher rates of illness, increased likelihood of recidivism and higher suicide rates.*[3]

Overcrowding in Saskatchewan's correctional centres has been a persistent and growing problem for nearly twenty years, and some of the symptoms described above have appeared. Corrections has managed to keep the number of incarcerated inmates within acceptable limits but is faced with ever-increasing numbers of remand inmates. The net result is a system that is trying to accommodate more people than it was designed for.

Crowded conditions inevitably result in the inmates' personal space being diminished. Furthermore, the ability to keep incompatible inmates apart is already limited, and overcrowding has made this challenge that much more difficult. It is generally accepted that the consequences of overcrowding have contributed to increased tensions.

Overcrowding is discussed in detail in the section titled "Bed Space." Other observations that are made in that section are that there are fewer programming opportunities and more inmates have to serve their time in a correctional centre outside their home geographic area.

[2] *Unjust Deserts: A Thematic Review by HM Chief Inspector of Prisons of the Treatment and Conditions for Unsentenced Prisoners in England and Wales* (London: Home Office, 2000), 33.
[3] John Howard Society of Alberta, *Prison Overcrowding: a Briefing Paper* (1996), 1.

Privacy

Most people value their privacy. Furthermore, there are laws that establish our right to privacy. With the exception of necessary limitations due to the circumstances of incarceration, inmates maintain their right to privacy. If the inmates' right to be treated in a dignified and humane manner is to be respected, these limitations should go no further than strictly necessary to maintain the security of the institution and the safety of staff and inmates.

Overcrowding and Cell Arrangements

Some of the efforts to manage overcrowding have been made at the expense of inmate privacy. For example, the men's centres in Prince Albert, Regina and Saskatoon have been forced to convert programming space into open dormitories, and occupy some cells with two inmates rather than one.

The first place most inmates look for privacy is in their cell, but not all cell arrangements are equally private. Inmates who have a cell to themselves are, of course, afforded the most privacy. Other arrangements compromise privacy to save space.

All four centres use dormitories, which are large, open rooms filled with single or bunk beds. Dormitories are reserved for low-security inmates who Corrections believes are able to get along in a dormitory setting.

Saskatoon and Regina house fewer than ten per cent of their inmates in dormitories. At Pine Grove and Prince Albert almost one third are housed in this way.

With the exception of Regina, all centres mix remand and sentenced inmates in the dormitories. Not surprisingly, the inmate representatives told us that inmates prefer single cells to the dormitories, where privacy is minimal.

Double-bunking, or placing two inmates in the same cell, is another space-saving measure. Saskatoon reported that 40% of inmates share a cell, while Prince Albert and Regina both reported this number at about 15%. Pine Grove does not house inmates in this way.

Sharing a cell with another inmate is arguably a greater intrusion on privacy than sharing space in a dormitory. There are many hours during the day when inmates are confined to their cells, and in a small cell there is literally nowhere to go to get away from each other. In a dormitory, there is more space to move around and a choice of inmates to socialize with.

On a more personal note, another area of concern is toilet privacy. While our society considers using the washroom to be a very private matter, not all inmates have access to a private toilet. Dormitories and some units in the centres have common washrooms that afford privacy. The most private cell space is a single cell with a solid door and a small sight window. This is followed by the situation in the old part of the Regina centre where the toilets in the cells are in plain view through the bars. The inmates with the least privacy are those who have to share cells.

The United Nations Standard Minimum Rules for the Treatment of Prisoners were approved by the United Nations Economic and Social Council as an authoritative guide to meeting binding treaty standards. These rules require toilet facilities that "enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner."[4] The circumstances under

which some inmates have to use a toilet can hardly be characterized as "in a decent manner."

Other jurisdictions have addressed this issue by installing small, foldaway privacy screens in front of the toilet. This would be an improvement, although still less than satisfactory for inmates who share a cell.

RECOMMENDATIONS

+ Take steps to eliminate the need for double-bunking and dormitories.
+ Supply privacy screens for all toilets in cells.

Provided staff members do not read inmates' mail without a valid reason, screening for contraband is a legitimate security precaution and is not unreasonably intrusive. Even so, it is understandable that inmates would rather that staff members open their mail when they are present so they can be confident that the contents are kept private.

Whether staff open the mail in front of the inmate or the inmate opens their mail in front of staff should not make any significant difference.

screening for contraband is a legitimate security precaution and is not unreasonably intrusive.

Mail Privacy

Inmates are not assured of private mail correspondence except for privileged communications.

The policy for outgoing mail is the same in all four centres: it is opened only if a reasonable belief exists that it contains illicit material. The policy for incoming mail, on the other hand, is not the same. Pine Grove, Regina and Saskatoon staff open incoming mail and look for contraband, but they are not supposed to read the contents.

In Prince Albert, inmates open their own mail in front of staff. On occasion, incoming mail is opened on the authority of the director if there is a reasonable suspicion that its contents might constitute an offence.

RECOMMENDATION

+ Screen incoming mail with the intended recipient present, unless that would be a security risk.

Phone Privacy

For most inmates in the provincial correctional centres, telephone conversations are relatively private. In the Regina remand unit, however, inmates are not assured of private telephone conversations because staff members in the unit office, which is out of sight of the inmates, have the ability to listen in on an extension line. Inmates are informed that their calls may be monitored, but we were advised by the Regina centre that they rarely are. Calls are only to be monitored with the director's approval, and that approval is only to be granted if there is a reasonable suspicion that the nature of the call would constitute an offence or a threat to the security of the institution, staff or inmates.

[4] United Nations, Standard Minimum Rules for the Treatment of Prisoners (1955, 1977), section 12.

In theory this would be all right, but it presents at least one problem for the inmates. If they want to submit a complaint to the Ombudsman (or anyone else) about a staff member, they worry that their call may be listened to without authorization. Some inmates have told us that rather than risk being overheard by a staff member, which they believe may result in reprisals, they simply don't call.

It should be noted that remand inmates in Regina can request the use of another phone that is private. However, arranging the use of a private line can be complicated by other demands on staff members that can result in lengthy delays.

In some cases, inmates could write a letter to the Ombudsman, but this isn't always a practical option. Depending on the nature of the complaint, the inmate's literacy level and the time remaining until a court appearance and possible release, using the mail may take too long to be of any use.

RECOMMENDATION

+Provide remand inmates in the Regina Correctional Centre with better access to a private telephone line.

Physical Environment

The Design of the Correctional Centres

The design of a correctional centre not only plays a role in creating a safe and secure environment, but also plays a role in creating an environment conducive to rehabilitation.

The living units in the correctional centres in Saskatoon and Prince Albert and the three new living units in Regina were all built after 1980 and reflect current correctional philosophy on inmate rehabilitation. These areas emphasize a normalized living environment where inmates are encouraged to learn to live cooperatively in a residential setting.

The layout is open, with a central common area and a small kitchen off to one side. Cells are arranged on two levels in a circle around the common area. Each inmate is provided with a private cell, which has a solid door rather than bars and a window facing outside. The objective of this living arrangement is to provide inmates with the best chance of successfully reintegrating into society.

In contrast, the physical layout of the old part of the Regina Correctional Centre does not encourage a normalized living environment. The main part of the Regina centre was built in 1911, with additions added during the 1960s. In all the units except Unit 4 and North G (now a dormitory holding short-term inmates), the cells are barred and aligned side by side in a long row.

Pine Grove has two dormitories and two units where the cells, which have solid doors rather than bars, are aligned in a row.

Both Pine Grove and the old part of the Regina centre were built when the words "power" and "control" characterized the correctional setting. Today, the correctional environment is supposed to reflect Corrections' emphasis on rehabilitation and reintegration.

All four centres have problems with lines of sight, some more serious than others. Living units 1, 2, and 3 in Prince Albert and living units A, B, and C in Saskatoon have an area on the second floor that is outside the line of sight of staff members unless they are on the floor or in the second floor staff office.

The pattern of staff and inmate interactions has led to staff mostly using the office on the main floor. The design of the unit assumes that the office on the second floor will be occupied, but it is commonly vacant. Even if staff did use that office, there would still be blind spots because of its location.

In Regina, lines of sight in the new living units are good. In the old units, however, there are problems. Cells are arranged in rows with the unit office placed at one end. Staff members cannot see into the cells without walking down the corridor.

This problem is compounded on the remand unit because there is no room for an office, or even a chair for that matter, at the end of any of the three levels of cells. As a result, all three levels are monitored remotely from an office on the main floor. This remote monitoring provides a view of the hallways but does not allow staff members to observe activities and movements in the cells.

Although staff members check the remand unit every half hour, it is not possible to see everything that is going on. Inmates on the remand unit have complained to the Ombudsman on many occasions about muscling and intimidation that goes on unnoticed. Pine Grove has problems with lines of sight down cell corridors just as Regina does.

The Regina centre has to cope with other design problems in Unit 4, located in the old part of the centre. Cells in this unit do not have toilets: toilet, shower and washing facilities are located at one end of the unit. This arrangement has always caused problems when the unit is locked down and inmates need to use the washroom.

Due to the design problems with Unit 4, Corrections uses the unit only as a last resort. However, it is opened from time to time as count demands.

RECOMMENDATIONS

+ Address the issue of blind spots on the second floor in Units 1, 2, and 3 in Prince Albert and Units A, B, and C in Saskatoon.
+ Deal with the line-of-sight problems down cell corridors in Pine Grove and Regina.
+ Tend to the design problems on Unit 4 at the Regina centre.

Air Quality

The United Nations Standard Minimum Rules call for inmates to have access to fresh air whether or not there is artificial ventilation.[5] None of the centres reported having windows that would

open to allow fresh air in. However, if the air exchange is adequate, especially given the often-severe weather conditions faced in Saskatchewan, having windows that open to the fresh air may not be practical.

None of the four centres reported any significant problems with air quality. The Occupational Health and Safety Branch of the Department of Labour informed us that the data it has shows that there have been no serious deficiencies in air quality in the last 10 years.[6]

The inmates, on the other hand, complained that the air was too dry and that in some areas air circulation was poor. Since inmates are not employees, they have no recourse to Occupational Health and Safety. They could, however, raise a concern about air quality with the Department of Health. In the meantime, we do not think it is unreasonable for Corrections to rely on Occupational Health and Safety's test results.

Lighting Quality

The United Nations Standard Minimum Rules also call for inmates to have access to enough natural light to read or work by.

[5] Section 11.

[6] Prince Albert Correctional Centre was last tested in October 2000, Pine Grove Correctional Centre in August 1994, Saskatoon Correctional Centre in February 1998, and Regina Correctional Centre in October 2001.

Pine Grove and Regina reported that all cells receive natural light. This is a bit of an exaggeration in the case of Unit North G in Regina, which is in the basement of the old building. At the top of its north-facing wall, there are three small windows. One of these windows is partially boarded up, and the glass, which is old and stained, filters the light.

The dormitories and the holding cells in Prince Albert and Saskatoon receive no natural light at all. These areas were originally intended to hold inmates only temporarily, and the use of these areas for longer periods has occurred as a result of a substantial rise in the amount of bed space needed. These areas ought to be considered a temporary response to overcrowding, and provision made as soon as possible for bed space that meets minimum standards.

RECOMMENDATION
+ Discontinue placing inmates in cells with no natural light, except as a temporary response to emergency bed space demands.

Cleanliness

Section 14 of the United Nations Standard Minimum Rules states that "all parts of an institution used by prisoners shall be properly maintained and kept scrupulously clean at all times." All areas of all four centres are cleaned at least daily by designated inmates, and inmates are responsible for cleaning their own cells. According to most of the inmate representatives we talked to, cleanliness was not an issue.

One exception to this was in Regina, where inmates said the cells in East and West G were "pretty gross". Our enquiries revealed that this complaint is most likely directed to the appearance of these areas rather than the cleanliness. The area is sometimes damp, the lighting is poor and it is commonly in need of paint. These cells were built at the turn of the century and have long since ceased to reflect progressive correctional philosophy.

The inmate representatives from the Pine Grove centre thought that in general cleanliness was all right, but commented that the plumbing often needed repair: toilets were backing up, pipes were leaking, and shower pressure was low. Pine Grove has responded to this concern by stating that problems with the plumbing are addressed as they occur, and that the entire system is showing signs of age.

RECOMMENDATIONS
+ Address the substandard conditions in East and West G in the Regina Correctional Centre.
+ Address the plumbing problems at Pine Grove.

Temperature Control

Temperature control in the centres plays an important role in staff and inmate performance: neither can be expected to function well if temperatures are outside reasonable limits.

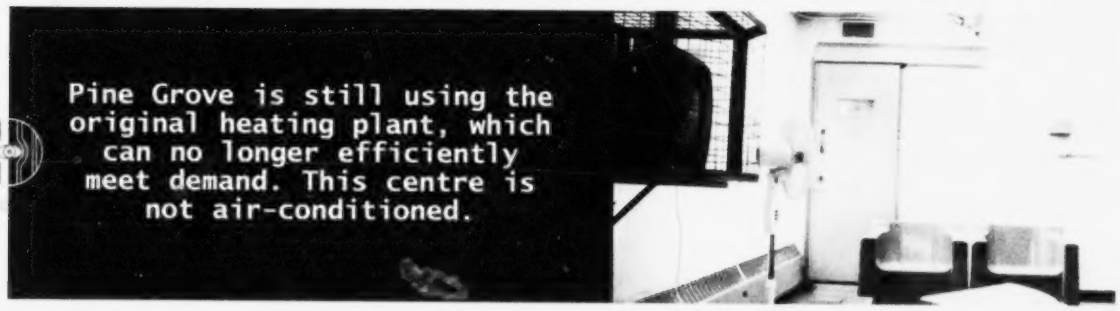
The United Nations Standard Minimum Rules state that "all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation."[7]

The Saskatoon and Prince Albert correctional centres were built in the early 1980s and were designed to meet the demands presented by Saskatchewan's extreme temperature fluctuations. Even so, in the late 1990s, when the win-

[7] Section 10.

ters were especially cold, both centres had trouble heating their remand and secure units. As a result, their heating systems had to be replaced. Summer temperatures have not been a problem, as they have adequate air conditioning. Complaints about temperature from Saskatoon and Prince Albert are now rare.

The Pine Grove Correctional Centre, on the other hand, was built in the early 1960s and cannot effectively meet demand. The building is not insulated, and therefore takes several days to heat up. This problem is most evident in the fall and spring, when temperatures can fluctuate greatly from day to night. Part of the problem is that, despite additions to the centre in the last forty years, Pine Grove is still using the original heating plant, which can no longer efficiently meet demand. This centre is not air-conditioned.


Pine Grove is still using the original heating plant, which can no longer efficiently meet demand. This centre is not air-conditioned.

The old part of the Regina centre faces similar problems. It is still using the original radiant heating system, which cannot efficiently meet demand during the spring and fall. Unit 4 has problems with temperature control because one wall of the cells is an uninsulated outside wall. When this unit is used, the problem will persist. The old part of the Regina centre is not air-conditioned.

RECOMMENDATION

+ Take steps to bring temperature fluctuations in Pine Grove and the old part of the Regina centre within reasonable limits.

Laundry and Bedding

Section 19 of the United Nations Standard Minimum Rules state that "every prisoner shall, in accordance with local or national standards, be provided with a separate bed, and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness."

Inmates in the general population in all centres have essentially free access to laundry services. Those who are confined to their cells either do their own laundry or have an inmate designated by corrections workers do their laundry.

The bedding provided in the four centres includes a mattress, sheets, blankets, and a pillow and pillowcase, all of which are replaced as needed. Until 2002, we routinely received complaints from the old part of the Regina centre about the condition of the mattresses, many of which were little more than pieces of uncovered foam. These were all replaced in 2001 with new, covered foam mattresses.

As of 2002, mattresses for all of the correctional centres were purchased from a manufacturer in Saskatoon. The mattresses are three-inch foam with a fire-retardant cover that is sewn in place to prevent inmates from hiding contraband inside. There are some mattresses with a removable plastic cover for inmates with bladder problems.

The mattresses cannot be washed because the foam does not dry well, so they are washed and disinfected by hand by wiping the cover with cleaning and disinfecting solutions. They are cleaned as needed. If they cannot be cleaned, they are replaced. Mattresses are not cleaned for each new inmate.

If an inmate has a bad back he or she can ask for two mattresses, provided they get a request signed by the centre physician. The chiropractor can also make a request, but it has to go through the physician.

In our view, laundry facilities and bedding meet acceptable standards.

Clothing and property allowances

In general, inmates are allowed liberal amounts of personal clothing and property. The issues are discussed in detail in the section titled "Inmate Property."

The Daily Routine

Daytime Activities

Section 60 (1) of the United Nations Standard Minimum Rules states that "the regime of the institution should seek to minimize any differences between prison life and life at liberty which tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings."

Part of complying with this rule involves occupying inmates with meaningful activity, at least during the day. Leaving some inmates idle because there are insufficient resources to keep them occupied is contrary to Canada's commitment to comply with the Rules.

Meeting the challenge to comply with international standards is proving difficult for Corrections, which has to cope with rising inmate populations while operating in a climate of fiscal restraint (see "Bed Space"). Some of the correctional centres are managing better than others.

Each centre offers work, education and training (WET) placements to the inmates. There is a considerable amount of overlap between these three categories, with some placements consisting of all three. Examples of placements are unit cleaners, institutional cleaners, metalworking, carpentry, mechanics, adult basic education, and literacy workshops.

The Pine Grove Correctional Centre is the only centre that is able to offer a placement to all its inmates.

Prince Albert reported that all low-security inmates are given a placement and 70% of the general population of all risk categories who are eligible for a placement either get a placement or are put on a waiting list.

Saskatoon estimated that just over 50% of eligible inmates are given a placement, and Regina estimated that about 75% of eligible inmates are given a placement.

The percentages for the men's centres were provided by each centre and are only rough estimates.

With the exception of a few half-day program placements, inmates with a WET placement go through a day that is structured between the hours of approximately 8:00 am and 4:30 pm.

The following schedule at Pine Grove is typical.

Cell doors are opened at 6:00 am and each inmate is responsible to shower, clean up, have breakfast and be ready to go to her work placement by 8:30 am. The inmate returns to the unit at 11:30 am for a count and to receive any medication needed. She then goes for lunch at 12:00. At 12:30, the courtyard is open for inmates who want to go outside. The inmate returns to work at 1:00, where she remains until 4:30. She then returns to the unit for a count and any medication needed. Supper is at 5:00, and at 5:30 the courtyard is opened again for 30 minutes. Leisure activities begin at 6:00 and can include participation in volunteer programs such as Alcoholics Anonymous or Narcotics Anonymous. At 9:00 the inmates are confined to their units unless a special program is taking place. Lockup is at 10:30 pm every night.

Ideally, every inmate should be occupied during the day with some kind of activity. Unfortunately, this is not always possible. Inmates who do not have a placement must remain on their unit, where there is little to occupy them. Some inmates have to cope with this idleness for several weeks, and in some cases, months.

There will always be inmates who are not eligible to participate in an activity for different reasons. Some inmates cannot participate in an activity because there are not enough placements available. Others have been confined to their cell or

segregated because of their uncontrolled behaviour, or cannot participate in any activity that involves being around other inmates because they require protection. There are inmates who cannot be trusted to participate in any activities. Others may not be capable of being active because they are ill. Some inmates simply refuse to participate in programming and other activities.

Despite these exceptions, leaving inmates idle is contrary to Corrections' objective of preparing inmates for reintegration into the community. Although this may seem surprising to some readers, most idle inmates complain about their forced idleness; they would rather be occupied.

The daily regime for inmates with a WET placement meets the United Nations standards. The regime of the others falls short.

RECOMMENDATION

+ Provide work, education or training opportunities for all eligible inmates.

Meals

The United Nations Standard Minimum Rules state that "every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served."

Any institution that has to prepare meals for hundreds of people is bound to receive some complaints. One would expect this to apply to a greater degree in correctional centres, where the residents are, for the most part, not all that happy about their general circumstances. Therefore, we were surprised to discover that the quantity and quality of meals at the four correctional centres does not seem to be an issue for the inmates we spoke to.

All of the provincial correctional centres employ journeyman cooks, who are assisted with meal preparation by inmates. The menu, which is based on the Canada Food Guide, is planned for a three- or four-week cycle.

Saskatoon, Prince Albert and Pine Grove provide three meals a day, seven days a week, with inmates preparing their own breakfast on their units.

Inmates at the Regina centre do not prepare their own breakfast. During the week, they receive three meals a day, and on weekends, in response to the low demand for breakfast, the centre provides a mid-morning meal and supper. These two meals are to be equivalent in calorie content to the three meals provided during the week.

Providing a proper regular diet has not been a problem. Providing special diets, however, has presented some problems. Corrections has a legal obligation to accommodate inmates on special diets for religious and medical reasons.

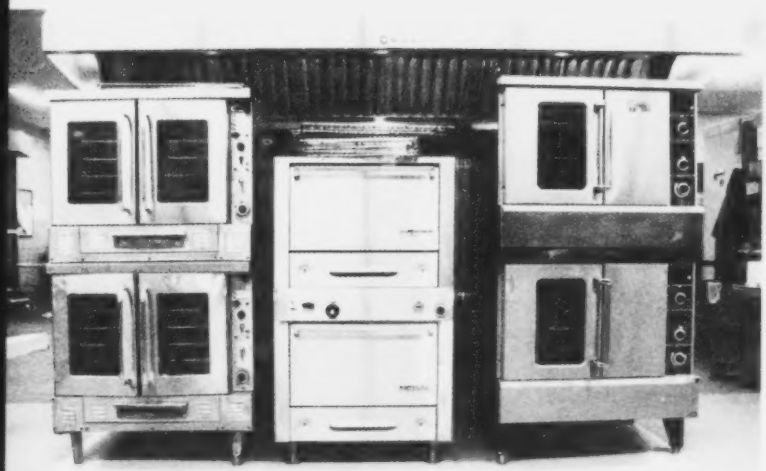
Although Corrections is obligated to provide special diets, it is not at the mercy of inmates with fickle appetites. Inmates requesting a special diet must show that the request is genuine.

A recent federal court case addressing the question of an inmate's right to a vegetarian diet concluded that just as inmates have a right under section 2 (a) of the Charter to a religious diet, they also have a right to a vegetarian diet based on the right to freedom of conscience.[8]

Furthermore, the diet must be comparable in variety to the diet for the general population. While the centres did not believe that providing a variety of special diet meals was an issue, we heard from some inmates that variety was lacking. This is a contradiction we were unable to resolve.

At the present time, there is no policy on special diets. As of June 2002, in part as a response to

[8] *Maurice v. Canada (Attorney General)*, 2002 FCT 69.



the federal court ruling. Corrections was in the process of preparing a provincial policy addressing the provision of special diets.

In addition to the quantity and quality of meals, we looked at sanitation in the kitchens. Complaints from Pine Grove, Prince Albert and Saskatoon have been rare, but we did get regular complaints about cleanliness in the kitchen in Regina prior to extensive renovations in 2001.

Following the renovations, a Public Health Inspector identified five relatively small issues in a Food Premises Report dated October 10, 2001, all of which were resolved within a month.

COMMENDATION

- To the Regina Correctional Centre for renovating the kitchen area to address sanitation issues.

RECOMMENDATION

- Ensure that special diets are comparable in quality and variety to the regular diet.

Showers

The United Nations Standard Minimum Rules set the minimum number of showers per week in a temperate climate at one.[9] With the exception of Regina, all centres provide daily showers for all inmates.

In Regina, this only applies to inmates in the general population. Inmates in Regina's segregation unit are allowed to shower only twice per week. This matter is discussed in detail in the chapter titled "Segregation."

Sometimes an inmate will refuse to look after his or her personal hygiene. These inmates, besides being unpleasant to be around, can present a health risk. Staff members respond with counselling and, in extreme cases, may force the inmate to clean up.

Exercise

Exercise is essential to the physical and mental well being of everyone. This is especially true for people who are confined. The Standard Minimum Rules recognize this and set the minimum time for daily exercise in the open air, weather permitting, at one hour.[10] If the weather is not suitable, exercise can be held indoors.

We believe Corrections should accept and apply the rule that sets the minimum time for exercise at one hour. Furthermore, exercise must be meaningful, which means that exercise equipment of some description ought to be available. Also, some centres include time for bathing, making phone calls, and cleaning cells in the calculation of total exercise time, which takes them over the one-hour minimum. However, the rule clearly refers to one hour of physical exercise, which cannot reasonably include time spent doing other things.

[9] Section 13: "Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate."

[10] Section 21: "(1) Every prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits. (2) Young prisoners, and others of a suitable age and physique, shall receive physical and recreational training during the period of exercise. To this end space, installations and equipment should be provided."

The following discussion of exercise times in the four centres does not count time spent bathing, making phone calls or cleaning cells as exercise time.

All four correctional centres provide at least one hour of daily exercise for inmates in the general population. None of the centres, however, provides a full hour of exercise for all of the other classes of inmates.

Inmates in the Pine Grove Correctional Centre who are being held in the maximum-security unit are allowed only one half hour for exercise.

In Prince Albert, inmates on cell confinement, including inmates in holding cells, also get only one half hour of exercise. Inmates in the secure unit are allowed 90 minutes daily, but this can be reduced to 45 minutes if the inmates choose a passive activity, such as playing cards.

In Saskatoon, inmates in the holding cells get only one half hour of corridor freedom with no exercise equipment provided. Remand inmates get one half hour of exercise every day and one hour on alternate days.

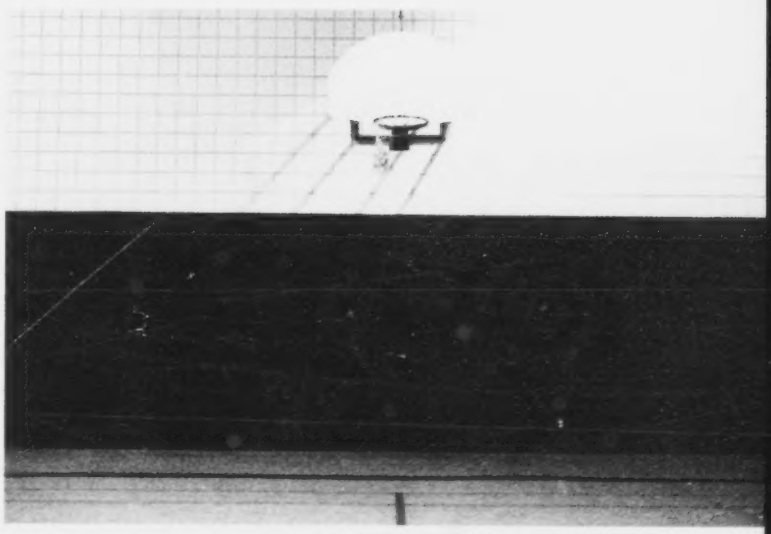
In Regina, inmates in the secure unit get one half hour of exercise every day.

RECOMMENDATION

- Provide all inmates with a minimum of one hour of meaningful exercise daily, not including time spent on personal hygiene, cell cleaning or other activities.

Visitors

There appears to be general agreement in the Corrections field that continued contact with family and other supports plays an important role in inmate rehabilitation and reintegration into the community.



Interestingly, while the guidelines for prison management in the United Kingdom, Europe, and Australia, as well as the United Nations Standard Minimum Rules[11] all emphasize the importance of continued contact with family, the furthest any guideline goes is to call for "regular" contact, which is not defined. This may be unavoidable considering the differences in local conditions and resources, inmate profiles, security concerns and community expectations.

Even within Saskatchewan, there are significant differences between the four correctional centres.

In Prince Albert, medium- and high-security remand inmates are allowed two visits a week. Low-security remand and low-, medium- and high-security sentenced inmates get one visit per week. All visits are for two hours.

In Saskatoon, one visit per week is allowed for all inmates except those in remand and urban camps, who receive two per week. All visits are for two hours.

[11] Section 37: "Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits." Section 79: "Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his family as are desirable and in the best interests of both." Section 80: "From the beginning of a prisoner's sentence consideration shall be given to his future after release and he shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the institution as may promote the best interests of his family and his own social rehabilitation."

In Regina, general population inmates and regular remand inmates get one visit per week for three hours. Confined inmates and inmates in the secure unit get one visit per week for one hour. At Pine Grove, inmates in the general population get two visits per week for two hours each. Inmates in the maximum-security unit are allowed one visit per week for two hours.

For the protection of staff and inmates and to minimize the chances of contraband making its way into the centre, all visitors are screened. This includes a Canadian Police Information Centre (CPIC) check. Visitors who violate visiting rules are restricted to non-contact visiting or are banned from visiting depending on the seriousness of the violation.

We looked at other jurisdictions across Canada to determine a standard for visiting privileges and discovered considerable variance. The federal penitentiary in Prince Albert allows all inmates five hours of visiting per day. Each visitor is restricted to three three-hour visits per week. To accommodate visitors who have to travel long distances, weekends are open to out-of-town visitors only.

The Brandon Correctional Centre allows ninety-minute non-contact visits Monday to Friday for remand and high-security inmates. General population inmates are allowed one-hour visits Tuesday, Thursday and Saturday. Lower security inmates can get an additional one-hour visit on Sunday.

continued contact with family and other supports plays an important role in inmate rehabilitation and reintegration into the community.

We spoke to inmates in each centre about the visiting policies and they raised several issues. Understandably, inmates would prefer more visits with family and other supports. Non-contact visiting was also an issue.

The Pine Grove centre restricts all visits to non-contact visits when drug use in the centre involves more than a few isolated incidents or when they receive information that drugs will be coming into the centre. Inmates reported that non-contact restrictions sometimes last for months. They didn't think it was fair that all inmates should be restricted to non-contact visits because some won't obey the rules.

While we understand this concern, we are not prepared to conclude that in all cases, the desire for contact visits takes precedence over the need to control drug use. Each case would have to be examined separately.

Calgary is more restrictive: all inmates get half-hour visits on Saturday, Sunday and statutory holidays. The Vancouver Island Correctional Centre allows one one-hour visit every day for all inmates.

Compared to the jurisdictions consulted, Saskatchewan appears to be about average; however, in keeping with the objectives of rehabilitation and reintegration, we believe an increase in visiting time should be considered.

RECOMMENDATIONS

- Maximize visiting hours for all inmates, with due consideration to security.
- Minimize the use of blanket policies that restrict visiting privileges for all inmates when only some inmates' behaviour warrants restrictions.

Access to the Library

Although all provincial inmates, both on remand and sentenced, are granted library privileges, the four correctional centres offer very different levels of accessibility to library resources.

At Pine Grove, inmates have direct access to the correctional centre library and can also borrow books from the public library.

Regina inmates can select books from a cart that is brought to the unit by the inmate librarian. The cart holds about 50 books selected at random from the centre's library. Inmates do not have direct access to this library. Requests can be made for particular types of books, but the selection is limited and special requests of this nature are rare. During the winter months, the Regina Public Library Outreach Program comes to the centre once a week to fill requests for books from the public library.

In Prince Albert, as in Regina, library books are delivered on a cart to the units, and there is no direct access to the centre's library. Unlike Regina, the cart contains books requested by the inmates. At present, there is no ability to borrow books from the public library.

Saskatoon operates in the same way as Prince Albert, although the library cart carries books selected at random rather than requested books.

Access to library materials at the four centres appears reasonable. Unfortunately, the selection is limited and few of the books are current. Two of the libraries have been able to provide better service by engaging the services of the local public library. This is a no-cost option that the Saskatoon and Prince Albert correctional centres should explore.

SUGGESTION

- Explore the possibility of engaging the services of the local public library in Saskatoon and Prince Albert to augment the correctional centres' services.

Emotional and Psychological Environment

Relations Between Inmates and Staff

The understanding that a good relationship between corrections staff and inmates is an important element in rehabilitation and reintegration is not new.

The United Nations Standard Minimum Rules, which were drafted in 1957, state that "all members of the personnel shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect."[1.2]

Security and safety is also greatly influenced by the nature of the relationships between staff and inmates. Incidents of threats or violence can be minimized if there is open and trusting communication.

In the federal system, great emphasis is placed on respect, accountability, openness and learning. It has coined the term "dynamic security" to describe the nature of the optimum relationship between staff and inmates.

The Correctional Service of Canada's "Report of the Task Force on Security" recommended that the term "dynamic security" be defined and understood as "those actions that contribute to the development of professional, positive relationships between staff members and inmates."[1.3]

Saskatchewan Corrections supports and encourages positive and respectful communication with inmates. All of the centres reported that relations between inmates and staff are good. However, the inmates we spoke to did not share this perception. In fact, none of the inmates that we spoke to in any of the centres thought that the relationship with staff was good. Despite this, they all conceded that this was a generalization, and some staff members were, in their view, very good.

[1.2] Section 48.

[1.3] Correctional Service of Canada, *Report of the Task Force on Security* (May 2000), 94. See also *Commissioners Directive 560: Dynamic Security*.

From our discussions with centre management, we suspect the reality is that there are a few staff members in each centre who are not well suited to their job or who need additional training and some inmates who are intransigent, disruptive and/or unreasonable. A few such people can have a disproportionate effect on the perception of the quality of staff/inmate relations.

Actions that are available when staff members have difficulty with individuals are discussed in detail in "Discipline" and "Segregation."

When an inmate is having difficulty with an individual staff member, he or she has the option of raising the issue with the team leader for their unit or the director of the correctional centre. If necessary, the director can address the issue using the progressive discipline process described in the collective bargaining agreement.

Although this process is available, inmates told us they are often reluctant to submit a formal complaint because of the fear of reprisal. This is difficult to address. While one can understand this concern and agree that any attempt at retaliation is unacceptable, we have not come across any obvious cases of reprisal.

If a staff member takes some adverse action against an inmate who has complained about him or her, it's easy to claim that it is reprisal, but in our experience there has always been another explanation. Of course, there is always the possibility that reprisal played a part in the decision, but we have yet to substantiate even one such allegation.

The concern about reprisal is most likely related to the quality of relations between correctional staff and inmates, and will lessen as the relationship improves.

Without a comprehensive study across jurisdictions, one cannot do much better on the issue of staff/inmate relations than work with general impressions. The task is complicated by several constantly changing variables that can affect the quality of these relations.

The inmate population is continually changing and, consequently, so is the inmate behavioural profile. Inmate disturbances can temporarily increase security precautions and decrease positive interactions between staff and inmates. Administrative decisions such as institutional lockdowns raise tensions and further restrict interaction.

Not all variables are dependent on the inmate population, however. Even something as basic as a change in season can affect staff members' and inmates' moods.

With these variables in mind, our general impression is that the relationship between staff members and inmates is good, but there is room for improvement.

Sense of Safety

Any time large groups of people are forced to live and work together in close proximity, there is going to be friction. One would expect this to be especially true in a correctional institution, where resources are limited and a large percentage of the residents have trouble coping with stress at the best of times.

For these reasons, we were surprised to discover that both staff and inmates thought the environment in the four correctional centres was generally safe. It needs to be understood, however, that corrections workers and inmates feel reasonably comfortable in an environment that others might well find uncomfortable.

To check corrections workers' and inmates' assessment of their environment, we raised the issue with outside service providers that we assumed would hear from inmates if safety were an issue. They all confirmed what staff and inmates were saying.

This is not, of course, to suggest that there are not occasional incidents of violence and threats. The only way friction between inmates could be eliminated would be to eliminate all contact. This would be too high a price.

Some reasonable balance has to be found between safety and liberty. In Saskatchewan, it seems Corrections has found an acceptable balance.

COMMENDATION
+ For achieving a reasonable balance between safety and liberty.

Management of Inmate Population

Measures of Violence and Disruption

At the present time, there is no reliable way to compare the level of violence in Saskatchewan's four correctional centres with one another or with other jurisdictions. Observations by staff are helpful indicators, but not sufficient as objective, factual information.

Consequently, we were unable to determine if Saskatchewan's correctional centres were as safe or safer than other jurisdictions.

The Report of the Task Force on Security prepared by Corrections Service of Canada states that Manitoba has been using a reporting procedure designed to measure the stability and safety of its correctional centres.

In Manitoba, a "checklist is filled out by line staff, supervisors and/or managers and provides information such as: increased telephone calls, increase in canteen purchases, increased requests for protection, cancellation of visits, decline in program attendance, lack of eye contact, decline in communications, increased use of hand signals, etc."

The report notes that the United Kingdom also has a system "worth benchmarking." The task force encourages the development of an even more sophisticated measure that could be used daily or weekly.[14]

This idea has merit. At the present time, there is no reliable, objective method for assessing the security climate of the centres. We attempted to collect data that we thought might provide some indication of the level of violence in each centre, but differences in recording practices, definition, surveillance practices and tolerance defy comparative analysis.

A checklist such as the one described above routinely completed by staff, would enhance Corrections' ability to measure the volatility of the environment and improve security and safety for both staff and inmates.

RECOMMENDATION
+ Establish a reporting system that will improve Corrections' ability to objectively determine the volatility of its correctional institutions.

Effective Surveillance

Surveillance is essential in a correctional centre. There is, of course, the obvious need to prevent inmates from escaping and a need to maintain a safe and orderly environment.

Although advances in technology have enhanced surveillance capabilities, the need for surveillance has not changed for many decades. As a result, Corrections has many years of experience with effective surveillance techniques.

Since inmates have some right to privacy, however, there are limits to how intrusive surveillance measures can be. In addition, the privacy rights of staff and visitors must be taken into consideration.

All four centres use several methods to monitor inmate movements and behaviour. Inmates are continually observed through direct staff observation and strategically placed video cameras.

Correctional centre staff members also conduct cell checks and several daily institutional counts. The frequency of the cell checks varies from unit to unit depending on the risk level of the inmates on the unit. Staff will conduct a thorough search of an inmate's cell if they suspect the presence of contraband.

[14] Report of the Task Force on Security 49.

The ratio of staff to inmates has a definite effect on a correctional centre's surveillance capabilities. A Corrections Service of Canada security review of the Saskatoon Correctional Centre, which has a staff-to-inmate ratio comparable to the other centres, concluded that the staffing levels were highly favourable and, in fact, higher than in the federal system.

We did not find any shortcomings in Corrections' surveillance systems that warrant comment, and neither staff nor inmates raised any concerns.

Gang Control

According to an internal Saskatoon Correctional Centre report, the number of gang members and associates in the provincial correctional centres rose dramatically between the beginning of 1998 and the end of 1999.

A study of the Saskatoon centre's discipline charges and incident reports revealed that gang members and associates were involved in a disproportionate number of charges and incidents. While it is not unlikely that this situation also exists in Regina and Prince Albert, no similar study has been conducted. We do understand, however, that gang activity is a problem in only the men's centres.

Although it is possible to identify some of the inmates who have connections to gangs through inmate self-disclosure and information sharing between institutional members of the Canadian justice system, it is difficult to identify which incidents are gang-related and which are not. As a result, measures of gang activity in correctional centres are imprecise.

Each of the correctional centres has a designated staff liaison who works with local police and the RCMP to identify gang members or associates and help control gang activity. Gang association is recorded on an inmate's file and can affect an inmate's security rating, program suitability and transfers.

Measures used by Corrections to deter gang activity include the following:

- *Disqualifying an inmate from any Work Education Training placement that may promote or give status to gang membership;*
- *Prohibiting inmates from retaining property that endorses gang membership and/or behaviour, or wearing gang-related paraphernalia;*
- *Implementing frequent room and property checks to verify that items in the inmate's possession have been obtained by authorized means and that such property complies with approved limits for allowable effects;*
- *Preventing an inmate's involvement in events or activities that have been organised or sponsored by a gang; and*
- *Censoring mail and telephone communications.*

At this time, there is no structured programming in place to help inmates end their gang involvement, although this type of assistance is stated as one of the principles of Corrections' gang management strategy. Corrections is, however, researching the possibility of implementing programming based on an American model that has shown some success in helping inmates end their involvement with gangs.

The reader may be surprised that inmates and staff believe the environment in the correctional centres is safe, while at the same time the presence of gangs in the centres is increasing.

The explanation appears to be that while there are a disproportionate number of gang members who receive charges and discipline reports, the overall level of violence and disruption has not increased to the point where people feel unsafe.

RECOMMENDATIONS

- Continue to identify and implement measures to discourage gang membership and avoid gang activity.
- Develop programming to help inmates end their gang involvement.

Drug Control

The correctional centres' drug control strategy consists of sharing information with local police and the RCMP, staff observation, cell searches, urine testing, strip-searching, visitor screening, canine units, substance abuse programming,

and methadone treatment (for more information on Corrections' methadone program, see "Medical Services").

The most common drugs discovered in the men's correctional centres are cannabis and benzodiazepines. At the Pine Grove Correctional Centre, almost all of the drugs that are being used illicitly are prescription drugs.

Regina and Saskatoon reported that over the last five years, drug usage has remained about the same. Pine Grove reported that usage was up, or at least the drugs were different. Prince Albert also reported that usage was up.

There has been no comprehensive assessment of drug use in the provincial correctional centres. Information about drug use is based on staff experience and observation, search results, drug-related discipline charges, and information from inmates.

It is generally assumed that the primary source of drugs is outside visitors, but this may not be the case. Survey results submitted to the United Kingdom Home Affairs Select Committee on Drugs in Prison (1998) showed that in four UK prisons and young inmate institutions, "less than one percent of the visiting population were found with drugs in their possession and in an overwhelming proportion of those cases (between 71 and 94 percent) cannabis was the offending drug."[15]

It is very unlikely that less than one in a hundred visitors is managing to supply the prisons with drugs; clearly, they are coming in some other way. Of course, this survey was done in the UK, not Saskatchewan, but it does demonstrate the need to verify assumptions.

Reliable empirical data would provide a sound base for Corrections' drug control strategy, and we understand that Corrections is presently compiling this information.

None of the centres search staff, and none regularly search official visitors such as lawyers, counsellors, or outside maintenance and construction workers. They do not believe that this is necessary to control the flow of drugs.

Even so, the growing number of gang members in custody warrants increased surveillance to minimize the risk of staff or visitors being compromised. This was the conclusion of the Task Force on Security established by Corrections Service of Canada, which recommended "that searching at the front gate be systematized and that procedures for searching include all staff and visitors (both official and inmate visitors)."[16]

RECOMMENDATION

+ Establish reliable and objective statistical criteria on drug use in the correctional centres to serve as the base for a drug interdiction strategy.

SUGGESTION

+ Establish procedures for staff and official visitor searches.

Emergency Procedures

In addition to official provincial policy addressing the management of crisis situations, all four correctional centres have detailed, written procedural responses that establish a command structure and assign responsibilities to specific staff members in case of emergencies such as fires, riots, and hostage takings.

While the procedural manuals are impressive in their comprehensiveness, we discovered that in some areas they are not fully in compliance with provincial policy.

With regard to fire prevention, each centre's director is supposed to conduct an annual review of fire safety procedures in consultation with local fire department officials. None of the centres' directors are currently completing yearly

[15] Murray Allen, Parliamentary Commissioner for Administrative Investigations (Ombudsman), Government of Western Australia, Report on an Investigation into Deaths in Prisons (2000), 281.
[16] Report of the Task Force on Security 40.

reviews as directed in policy, although some have conducted less formal reviews.

One can reasonably infer that the requirement that directors consult with local fire department officials annually also requires a yearly fire inspection report. Even so, Saskatoon is the only centre that does this; the other three centres request fire inspection reports every few years.

Each centre is supposed to establish a crisis management team made up of a crisis manager, an operations officer, an information officer, and a medical officer. The director is responsible for ensuring that this team receives ongoing training and support. We discovered that the ongoing training provided varies from none to sporadic.

Two of the centres equip some of their staff with portable radios that provide direct access to fire and police services. In a crisis, immediate access to emergency services can be essential.

Staff in the centres without these portable radios would have to contact their control room (assuming it is still under Corrections' control) and explain the situation. The control room would then have to make contact with the fire or police departments. Although this may only take a few seconds, seconds often count.

RECOMMENDATIONS

+ Comply with the requirement for annual fire inspections at all centres.
+ Ensure that sufficient resources are available for ongoing training of the crisis management teams.
+ Acquire portable radios that enable direct communication with fire and police for all centres.

Inmate Awareness of Emergency Procedures

Although all of the centres conduct regular fire drills, none of the centres provide inmates with written procedures. Some of the issues are addressed during the inmate's orientation when he or she is first admitted.

There is also an expectation that inmates will approach staff or write to the director if they have questions or concerns. In addition, there is some reliance on experienced inmates helping out new ones.

Since some of these situations could ultimately be matters of life or death, we question whether the current process is adequate. The average inmate is only incarcerated for a few months and may well serve his time in between fire drills.

It would provide more consistency and thoroughness if each inmate were provided with a handbook that clearly described emergency procedures.

RECOMMENDATION

+ Include a section on emergency procedures in an inmate handbook.

Conclusion

For a relatively short time, Corrections has an opportunity to provide inmates with "normal" living conditions that encourage good behaviour and responsibility. This is most easily accomplished in an environment that is fair, ordered and safe. Anything that detracts from such an environment makes the task of rehabilitating inmates that much harder.

As a society, we need to remember that Corrections is working on our behalf, and the more inmates it can rehabilitate, the safer our communities will be.

If Corrections is to maximize its chances of meeting its objective of promoting safe communities through its rehabilitative and reintegration efforts, it will need to remove as many barriers as reasonably possible. To accomplish this, it will need adequate resources and strong community support.

Inmate Living Conditions

RECOMMENDATIONS

+ Ensure that when inmates are stripped, it is done with minimum affront to their dignity and is not witnessed by members of the opposite sex, either directly or indirectly.
+ Draft policy to facilitate communication between newly admitted inmates and their family members or close relatives, preferably on the first day of incarceration.
+ Draft policy advising corrections workers that they have the discretion to let inmates use the staff phone if they cannot make a collect call.
+ Ensure that both policy and practice recognize the special circumstances of inmates serving their first few nights in jail.
+ Take steps to eliminate the need for double-bunking and dormitories.
+ Supply privacy screens for all toilets in cells.
+ Screen incoming mail with the intended recipient present, unless that would be a security risk.
+ Provide remand inmates in the Regina Correctional Centre with better access to a private telephone line.
+ Address the issue of blind spots on the second floor in Units 1, 2, and 3 in Prince Albert and Units A, B, and C in Saskatoon.
+ Deal with the line-of-sight problems down cell corridors in Pine Grove and Regina.
+ Tend to the design problems on Unit 4 at the Regina centre.
+ Discontinue placing inmates in cells with no natural light, except as a temporary response to emergency bed space demands.
+ Address the substandard conditions in East and West G in the Regina Correctional Centre.
+ Address the plumbing problems at Pine Grove.
+ Take steps to bring temperature fluctuations in Pine Grove and the old part of the Regina centre within reasonable limits.
+ Provide work, education or training opportunities for all eligible inmates.
+ Ensure that special diets are comparable in quality and variety to the regular diet.
+ Provide all inmates with a minimum of one hour of meaningful exercise daily, not including time spent on personal hygiene, cell cleaning or other activities.
+ Maximize visiting hours for all inmates, with due consideration to security.
+ Minimize the use of blanket policies that restrict visiting privileges for all inmates when only some inmates' behaviour warrants restrictions.
+ Establish a reporting system that will improve Corrections' ability to objectively determine the volatility of its correctional institutions.
+ Continue to identify and implement measures to discourage gang membership and avoid gang activity.
+ Develop programming to help inmates end their gang involvement.
+ Establish reliable and objective statistical criteria on drug use in the correctional centres to serve as the base for a drug interdiction strategy.
+ Comply with the requirement for annual fire inspections at all centres.
+ Ensure that sufficient resources are available for ongoing training of the crisis management teams.
+ Acquire portable radios that enable direct communication with fire and police for all centres.
+ Include a section on emergency procedures in an inmate handbook.

SUGGESTIONS

+ Explore the possibility of engaging the services of the local public library in Saskatoon and Prince Albert to augment the correctional centres' services.
+ Establish procedures for staff and official visitor searches.

COMMENDATIONS

+ To the Regina Correctional Centre for renovating the kitchen area to address sanitation issues.
+ For achieving a reasonable balance between safety and liberty.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

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Ombudsman
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Inmate Property Control

Introduction

In the last thirty years, there has been a trend in correctional philosophy away from an environment characterized by surveillance and control toward one that emphasizes individual responsibility in more normalized living conditions. The intent is to "reduce senses of institutionalization and sensory deprivation" and, through increased staff and inmate interaction, "raise the level of prisoner and staff security."[1] In Saskatchewan, the new concept is described this way:

> *One of the Core Elements of the Living Unit Program is a normalized living environment which "is based on the objective of using the day-to-day routines and living environment to teach and reinforce to inmates the realities of non-incarceration living, to assist inmates in learning to successfully cope with personal care and group living responsibilities, and to minimize the impact of institutionalization. Hence, the inmate is responsible for following regular work routines, taking care of self and his personal living space, some meal preparation, wearing of own clothing, and successfully living in a residential-like group living situation."*[2]

In keeping with the philosophy of the Living Unit Program, inmates in the correctional centres have been allowed to possess considerable amounts of personal property. Although this makes for a more normalized living environment for the inmates, it has presented problems, not the least of which is keeping track of all the property.

In all four centres, an inventory of personal property is taken when an inmate is admitted and the inventory is updated every time property is received or sent out. To facilitate record keeping, and to discourage muscling, trading of property is forbidden. Despite this, property does get traded, and is sometimes stolen or simply goes missing.

Complaints from inmates about lost or damaged property are common. The issue is almost always who was in possession of the property when it was damaged or lost, as we have consistently concluded that responsibility lies with the person or agency in control of the property at the relevant time.

Responsibility would be easy to determine if movement of property was properly recorded as directed by local policies. Unfortunately, this is not always the case.

In instances where the paper trail is incomplete because staff members have failed to properly record a transaction and we find no other way to corroborate the inmate's or staff member's account, responsibility for the loss is usually assigned to staff, as it is Corrections' responsibility to keep its records organized.

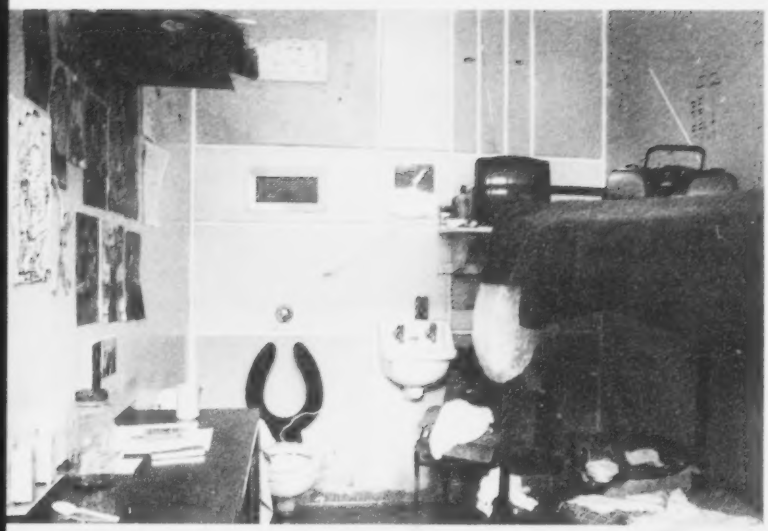
When an inmate is admitted to a correctional centre, policy requires staff members to make a detailed record of all his or her property on a master sheet. From that time on, all property movements are to be recorded on the master sheet. This means that when property is sent in, sent out, purchased, moved to storage, or removed from the inmate and placed under the control of staff, the transaction is to be recorded.

Admissions and releases occur daily and property is continually being shipped in and sent out, and the number of daily transactions easily measures in the hundreds. Without proper record keeping, the situation would be chaotic.

The regulations provide only limited guidance on property control, so the primary responsibility rests with each correctional centre. The local policies in the four centres are generally similar, although some provide more or less detail about various aspects of property control.

[1] G. W. Brawn, *An Evaluation of the Living Unit Concept in North American Correctional Planning, Programming and Architecture* (University of Melbourne Criminology Council Grant, 1982), 1. See also: Joseph C. Johnston, "A Psychological Perspective on the New Design concepts for William Head Institution (British Columbia)," *Forum* 3.2 (1991), 10.

[2] Terry Youngman, *Saskatchewan Living Unit Review* (July 1992).



None of the four centres has set a dollar limit on the value of personal property an inmate is allowed to have in his cell, but all of the centres have set limits on the type and number of articles of personal property an inmate can have. Possessing property in excess of the allowed limits is a chargeable offence under the discipline regulations.

All of the centres keep track of property by using variations of a master inventory list for each inmate. Property transactions are to be dated and signed by staff and inmate whenever possible. In instances where an inmate can or will not sign, such as when property is packed following an escape, when an angry or uncontrollable inmate is moved to a segregation unit, or when an inmate is simply unwilling to sign, two staff members sign the list accompanying the property.

In all centres, each inmate is ultimately responsible for ensuring that all of the property in his or her possession is on the master inventory list.

Issues Regarding Property Allowances and Handling

This review examined many aspects of property control that we determined were in order, including some aspects that we decided were better addressed in other sections of the review. This section of the review addresses only those issues that we believe warrant a recommendation for improvement or that stakeholders have expressed an interest in.

Responsibility for Property Issues

Prince Albert has dedicated one person to handling property issues on a trial basis. This person troubleshoots, deals with property complaints from inmates, and coordinates the movement of incoming and outgoing property. The centre believes that there has been some reduction in property losses, and consequently a decrease in the number of staff hours spent resolving property issues.

Having one person dedicated to property control has resulted in a marked improvement in record keeping and property movement, thanks to this person's acquired competence in dealing with the complexities of property handling. This idea has merit.

SUGGESTION

- Consider dedicating one person to property issues in each centre.

Personal Property Allowances

Our comparison of the property allowances in the four centres revealed that the allowances for basic items are similar, but clearly not identical. For example, Saskatoon and Prince Albert allow two pairs of footwear, Pine Grove one pair, and Regina five pairs. Prince Albert and Pine Grove allow five shirts or sweaters, Saskatoon six, and Regina fifteen. There are also differences in the allowances for miscellaneous items, but the differences are not significant.

While one can understand that differences in physical layout and inmate profiles between the provincial centres might account for differences

in allowances, from the point of view of fairness, it is difficult to understand why there is not more consistency.

As this section was being written, Corrections was in the process of revising its property policy and we understand that consistency is one of the issues to be addressed.

We tried to compare Saskatchewan's experience with other jurisdictions in Canada but discovered that Saskatchewan is the only jurisdiction that allows inmates to wear personal clothing.

At the Brandon Correctional Centre in Manitoba, for example, inmates are not allowed personal clothing inside the centre except for personal footwear. Institutional clothing is limited to 2 pairs of pants, 2 long sleeve shirts, 2 pairs of socks, 2 t-shirts, 2 pairs of shorts, 1 pair of shoes, 1 pair of slippers or thongs, and 2 pairs of white socks (if authorized for medical purposes).

There are several reasons why other jurisdictions do not allow personal clothing:
- They believe it would result in too much property in inmate cells;
- Institutional clothing makes it easier to identify inmates in the event of an escape;
- It avoids the inevitable status issues that go along with who is wearing what and helps to prevent inmate groups from wearing identifiable clothing;
- It minimizes trading and loss claims; and
- It reduces pressure on families to provide additional clothing.

Despite the arguments favouring issuing institutional clothing, Saskatchewan Corrections has decided against this because it believes institutional clothing tends to conceal individual differences and encourage stereotyping. It prefers to encourage recognition of each inmate as an individual with unique criminogenic needs that require individualized case plans. There is also the consideration of the cost that would be involved if inmates were all provided with institutional clothing.

Allowing inmates to wear personal clothing, however, is not without drawbacks. Personal clothing clearly adds to an inmate's possessions in jail and consequently increases the risk of an inmate's possessions being lost or damaged.

Inmates are responsible for their own possessions unless the centre has taken control of them, which happens when an inmate escapes, is moved into a segregation unit, or transferred to another facility.

Unfortunately, corrections staff sometimes lose or damages inmate property in their control. This inevitably leads to lost property claims that are costly, time-consuming, and difficult to resolve. At least two matters make resolution of property claims difficult. The first is the matter of who was in control of property when it went missing or was damaged. The second is the matter of what value is to be attached to the property. Attaching a value commonly results in conflicting accounts. Was the jewellery gold or gold coloured? Were the pants name brand or generic?

Other jurisdictions, such as Correctional Service Canada (CSC), have addressed this problem by valuing property when an inmate is admitted. If CSC inmates won't cooperate with the appraisal, staff members value the property and note the inmate's refusal to cooperate.

This could prove to be very time-consuming and may not be justified given the much higher turnover of inmates in the provincial system. On the other hand, in the absence of prior valuation or other evidence, in fairness, the benefit of the doubt ought to be given to the inmate.

RECOMMENDATION
- Except where differences can be reasonably justified, standardize personal property allowances in the four centres.

SUGGESTION
- Determine whether valuation of inmate property is warranted.

Packing of Cell Property

Policy in the province's four correctional centres is basically the same regarding the packing of cell property. Whenever possible, when an inmate moves from his or her cell voluntarily or

involuntarily, the inmate is responsible for packing his or her own property. When this is not possible, the inmate's cell is to be secured immediately.

If the inmate is sharing a cell, his or her belongings are also to be secured immediately. When an inmate cannot pack his or her own belongings, the packing and itemizing is to be done by two staff members, who are to date and sign the property list.

A copy of the property list is to be given to the inmate unless this is not possible because the inmate has escaped or is unlawfully at large.

On the other hand, staff should secure the property as soon as practically possible upon discovering that the inmate has escaped. The more time that elapses before the property is secured, the higher the risk of theft.

If there is an avoidable delay in securing the inmate's property and property goes missing, the question that has to be addressed is who should be held responsible?

While the incidence of escapes is small, the issue of securing the escaped inmate's property should be addressed in policy to avoid problems in the future.

If there is an avoidable delay in securing the inmate's property and property goes missing, the question that has to be addressed is who should be held responsible?

Inmates have repeatedly requested that an inmate representative be present when an inmate's cell is being packed by staff. This is indicative of the inmates' distrust of staff. Notwithstanding the inmates' concerns, we are unaware of any instances of staff colluding to steal inmates' belongings when they are packing up items in a cell.

Perhaps if relations between staff and inmates were better, having an inmate representative monitor the packing would be acceptable. As it is, placing an inmate in what could be considered a monitoring role over staff would not be acceptable to staff, and we have not seen any indication that it is necessary.

Escapes

It is not clear in Corrections' policy who is responsible for an inmate's property from the time the inmate escapes until the property is secured. Once it is secured, it is clearly Correction's responsibility. Before that, one could argue it is the inmate's.

RECOMMENDATION

- Develop policy addressing handling of escaped inmates' property.

Initial Cell Search

There is no policy in any of the four centres that addresses the inmate's responsibility regarding articles present in the cell before the inmate occupies it for the first time. Inmates are expected to search the cell and report the presence of any contraband articles in their cell to staff.

Problems occur when inmates do not notice concealed articles in the cell that are later discovered by staff, who then attribute ownership to the current occupant.

Some inmates are very clever at concealing contraband in their cells. Inmates with experience in a jail might have a good idea where to look for contraband, but inexperienced inmates could easily miss something. Staff members, on the other hand, at least those with some experience,

should be familiar with the usual hiding spots. If an experienced staff member were to search a cell before a new inmate occupied it for the first time or supervised the inmate while he or she did the search, the risk of missing something would be minimized, as would the risk of accusing an innocent inmate of possessing contraband.

This would not be much of an issue if there were some way for the new occupant of a cell to prove his or her innocence when contraband is found sometime later. The only way this could be proven would be if a former occupant admitted that the contraband was his or hers, and this is not likely to happen. Short of this, the inmate can only hope that staff will take him at his word.

We have received several complaints over the years on this issue and have often ended up with the same question Corrections faces: whose word are we going to accept?

Inmates have asked us on several occasions why a staff member could not be present when an inmate searches his or her cell for the first time. As noted above, this idea has merit.

RECOMMENDATION

+ Search the cell before an inmate occupies it for the first time or supervise the search when an inmate searches his or her cell before occupying it for the first time.

Policy on Property Loss

Property loss in the correctional centres is a fairly common occurrence. Property can go missing a number of ways: it can be traded, it can be stolen, it can be lost, and it can be destroyed.

However it goes missing, Corrections will not accept responsibility unless it was under the control of corrections staff. Even so, the inmate is not entirely on his or her own, and staff will help where they can.

At present, however, none of the centres has a policy that addresses the procedures that staff members should follow when an inmate claims that his or her property has gone missing.

This raises questions about the guidelines for helping inmates find their missing property. For

example, should staff conduct a search on and off the unit, should other inmates be questioned, and should staff facilitate a call to the police if the loss is significant?

Pine Grove addressed the problem of lost property in part by establishing a lost and found. Any property that is not claimed and unauthorized property found in an inmate's cell is placed in the lost and found. Inmates can retrieve articles from lost and found with proof of ownership, which means it must be listed on the official property record.

By using a lost and found, inmates whose property is found in the possession of another inmate can retrieve their property without risking a confrontation with the other inmate.

If the loss is significant and the inmate believes his property was stolen, he or she is free to contact the police, but many inmates are not aware of this right and there is nothing in policy to indicate they have this right. As a result, inmates told us they thought they had no recourse but to accept the loss.

RECOMMENDATIONS

+ Develop policy addressing procedures to be followed when an inmate claims his or her property is missing.
+ Ensure that inmates are aware that they can report suspected theft to the police.

Policy when Inmate Property Comes under the Control of Corrections

It is not uncommon for a correctional centre to take control of an inmate's possessions. This can happen, for example, when an inmate escapes or is placed in administrative segregation or disciplinary confinement. Once a centre takes control of an inmate's possessions, it assumes responsibility for its safekeeping. If articles are lost or damaged, the centre will usually be liable.

The policies the four centres have adopted for handling inmate property that comes under its control are much the same. In each centre, the property is to be itemized by two staff and placed in a clear plastic bag.

If the property has come under the control of the centre because the inmate has been moved to a segregation unit, articles of basic necessity are given to the inmate to have while he or she is segregated. The remaining property is stored in a secure area.

In all cases, one copy of the itemized list of property is to be given to the inmate (except in the instance of an escape) and one copy is to be placed in the property bag.

When policy on property control is followed closely, there is a clear paper trail that begins on the day of admission, when all of the inmate's property is recorded, and continues to the day the property comes under Corrections' control. If documentation is in order, the paper trail will be complete in most cases, but not all.

For example, when two staff bag and itemize an inmate's property it is always possible that some of the inmate's property is already missing. We are then left with the staff members' word that they packed everything that was in the cell. Of course, it's also possible that some of the property does not make it into the bag, but we are unaware of any evidence to support the claim that is sometimes made by inmates that staff members have taken their property.

It is assumed, reasonably we believe, that in the absence of compelling evidence to the contrary, the two staff members who itemize and bag the inmate's cell contents have produced a complete list of everything that was in the cell.

As long as all the documentation is in order, there is usually no dispute over who is responsible for property that is lost or damaged. In the Ombudsman's experience, however, documentation is not always in order.

Since it is Corrections' responsibility to keep its records in order, if there is a dispute over responsibility for lost or damaged property and the records are not in order, we assign responsibility to Corrections.

RECOMMENDATION

+ Ensure that all documentation regarding inmate property is always completed properly.

Conclusion

The policies in the four correctional centres that address property control are, on the whole, well designed to track the movement of inmate property. For the policies to work, however, the documentation required by policy must be completed. This is not to say that staff members commonly fail to comply with the policy, although we have seen instances where documentation is completely absent.

While itemizing inmate property that comes under Corrections' control may seem tedious, it is less tedious that trying to resolve the inevitable lost property claims that will result if the property is not itemized.

Inmate Property Control

RECOMMENDATIONS

- Except where differences can be reasonably justified, standardize personal property allowances in the four centres.
- Develop policy addressing handling of escaped inmates' property.
- Search the cell before an inmate occupies it for the first time or supervise the search when an inmate searches his or her cell before occupying it for the first time.
- Develop policy addressing procedures to be followed when an inmate claims his or her property is missing.
- Ensure that inmates are aware that they can report suspected theft to the police.
- Ensure that all documentation regarding inmate property is always completed properly.

SUGGESTIONS

- Consider dedicating one person to property issues in each centre.
- Determine whether valuation of inmate property is warranted.

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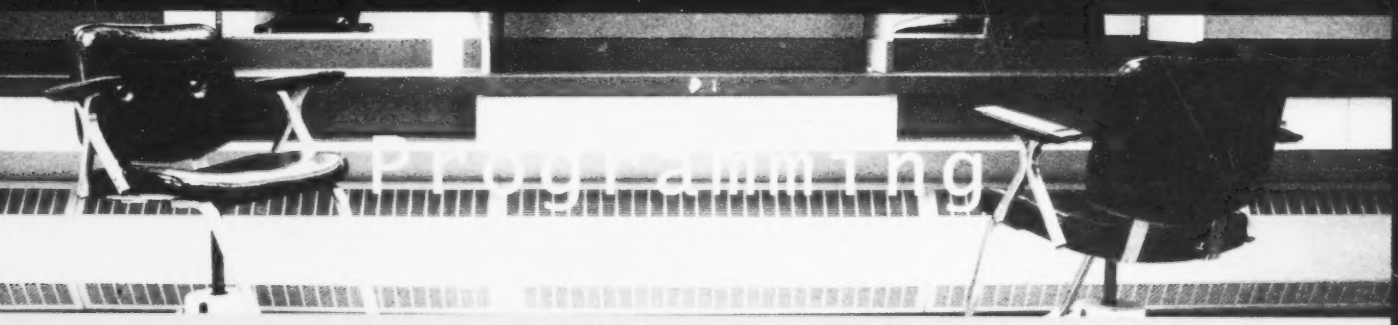


Ombudsman
SASKATCHEWAN

Programming

Introduction

One of Corrections' primary objectives is to rehabilitate inmates and reintegrate them into the community. This can only be accomplished with work, educational, and treatment programs specifically designed to meet that objective. The safety of our communities depends to a large extent on the success of these programs.

Inmates who return to the community without receiving rehabilitative or reintegrative programming are usually at a higher risk to re-offend than those who have. They may, in fact, present a higher risk than they did when they were admitted to jail.

In the interests of both the community and the inmates, Corrections must deliver the programming necessary to rehabilitate and reintegrate inmates.

Corrections has recently conducted its own review of programming which candidly addresses the strengths and weaknesses of current programming resources and recommends improvements based on leading research in the area. The following discussion of inmate programming and a description of Corrections' plans for improvement is essentially a summary of Corrections' own review.

Programming Theory

For the purposes of this section, "programming" refers to education or training designed to improve inmates' chances of rehabilitation and reintegration into society, thereby lowering recidivism rates.

The important role inmate programming plays in reducing recidivism has been long known and is recognized in the United Nations Standard Minimum Rules for the Treatment of Prisoners, which calls for work, education and training programs for all inmates.

There was an unfortunate trend in the field of corrections in the past decade in discussions about programming to conclude, based on the perceived ineffectiveness of various programming initiatives, that nothing works. This perception has since been countered by research that shows that programming results in a general decline in recidivism of 10%.

Gendreau and Goggin note that although 10% may seem low, it is in line with medical interventions that are deemed successful. They also state that when one considers only the programs that have been shown empirically to be effective, meaning those that are "behavioural/highly structured in nature and target the criminogenic [leading to crime] attitudes, values and behaviours of higher risk inmates," the decline in recidivism rises to 25% to 30%.[1]

Research in the last decade has identified several common characteristics in programs that reduce recidivism rates. Although authors differ slightly in their lists of characteristics, the following is representative of the lists encountered in our research.

+ The programs "address empirically proven criminogenic factors (needs) like poor cognitive competencies and social skills, alcohol and drug problems, delinquent peer contacts, lack of prosocial bonding, educational and vocational deficits."
+ The programs are adaptable to the learning styles of the inmates.
+ Prior to admission to a program, inmates are thoroughly assessed to determine criminogenic needs and suitability for specific programs.
+ Programming resources are directed at inmates with a higher risk of re-offending.
+ Programs are well structured and staff members are sufficiently trained and supportive of program methods and goals.
+ To the extent possible, programs are delivered in the community.
+ The institution "is emotionally and socially

[1] Paul Gendreau and Claire Goggin, "Principles of Effective Correctional Programming," *Forum* 8.3 (1996).

responsive as well as structured, norm-oriented and controlling."

- Staff members are carefully selected, with specific training, and are continuously supervised.
- The programs strengthen inmates' existing protections against re-offending such as an "easy temperament, experiences of self-efficacy in education or in leisure activities, attachment to a stable reference person, [and] social support from outside the family."
- Programs include relapse prevention and aftercare components to preserve positive effects of programming.[2]

Corrections' Strategic Correctional Program

In 1998, Saskatchewan Corrections committed itself to implementing a programming strategy based on international research into effective programming. We look forward to Corrections' continued progress, as there is need for improvement.

Programs offered in the correctional centres in 1999, for example, included programs addressing anger management, education, substance abuse, employment, sexual abuse, domestic violence, and problem solving. However, there was little consistency and continuity between the correctional centres.

For example, it was not uncommon for a program to be offered in one centre only, or for a program to be delivered differently in the four centres, making it difficult for a transferred inmate to continue a program in the new centre.

Furthermore, most of the programs were educational with no attempt to fit the program to the inmates' social and psychological circumstances: "few [programs] were cognitive skill based, possessed a relapse prevention component, or contained an evaluation component."[3]

To address the shortcomings identified in programming, Corrections developed a strategic correctional program plan, which emphasizes the use of effective programming. To be considered effective, a program must satisfy several criteria, four of which are:

- Programs must be directed at identified criminogenic needs;
- Programs must use cognitive skills training;
- Programs must be delivered by trainers who are adequately trained and fully support the program; and
- Programs must include a relapse prevention component.

Corrections determined that as of the end of 1999, only three programs in the province met the requirements of effective program principles and desired impact on inmate behaviour: the Inmate Substance Abuse Pre-Release Program offered at the male centres, the Child Visiting Program offered at Pine Grove, and the Cognitive Skills Program offered at Regina.

Corrections' strategic plan commits the Division to evaluating "existing programs to determine if they address identified criminogenic needs (attitudes, values and behaviours that support a criminal lifestyle)[4] and meet the requirements of effective programming. Under the plan, non-relevant programs will be discontinued, program gaps will be identified, and existing relevant programs will be strengthened."[5] The plan also calls for consistency and continuity between correctional facilities.

Using a validated risk/needs assessment,[6] Corrections has determined that its program

[2] Friedrich Losel, "The Importance of Offender Programming: German and International Evaluations," *Proceedings: Beyond Prisons*, Kingston, Ontario, March 1998, 13.

[3] Saskatchewan Department of Justice, Corrections Division, *Strategic Correctional Program Plan* (internal document, 2000), 3.

[4] "Predicting Adult Inmate Recidivism," *Research Summary, Corrections Research and Development* 2.2 (March 1997). See also: Paul Gendreau, "What Works in Community Corrections: Promising Approaches in reducing Criminal Behaviour," in *Proceedings of the 1994 Conference of the International Community Corrections Association*, ed. Barbara J. Auerbach and Thomas C. Castellano (American Correctional Association, 1998).

[5] *Strategic Correctional Program Plan* 11.

strategy "must address needs associated with drug and alcohol use, family and marital relationships, and employment."[7] Accordingly, the following core programs were recommended:

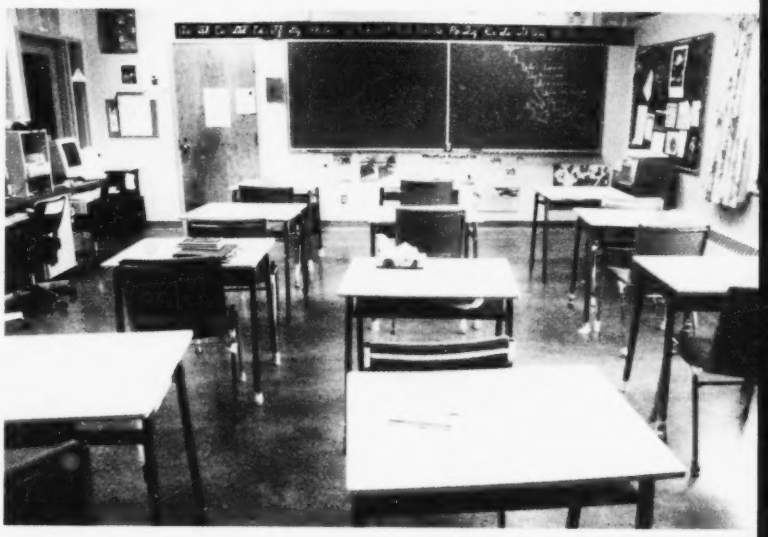
+ Substance Abuse,
+ Anger and Emotion / Violence Aggression,
+ Cognitive Skills,
+ Employment Skills,
+ Sex Abuse,
+ Domestic Violence, and
+ Basic Education / Literacy.

It was determined that some would be new, and some would be current programs that have been revised and strengthened.

Corrections proposes a strong emphasis on community-based programs with a relapse prevention component. To meet the unique needs of women and aboriginal inmates, research will be conducted into the specific needs of these two groups and appropriate programs will be developed.[8]

To meet its programming goals for inmates, Corrections intends to accomplish the following:

+ Identify priority criminogenic needs provincially and by location (correctional facilities and community) and determine what core programs will be implemented;
+ Evaluate existing programs in terms of their compliance with the principles of effectiveness and meeting the Core Program criteria;
+ Implement programs that meet the criteria for effective programming to meet the priority criminogenic needs;
+ Develop programs to meet the needs of specific groups (aboriginals, women),
+ Develop partnerships to maximize resources, with for example, CSC, Aboriginal Organizations, Mental Health, and Social Services;



+ Provide a greater emphasis on skill development and employment readiness through PRISM Industries; and
+ Implement a program evaluation framework and accreditation process to ensure the validity of programs.[9]

By 2002, work toward meeting these goals was well under way. The four correctional centres have a total of eight staff trained in Cognitive Skills, a certified program that addresses criminal attitudes. The three men's centres have a total of four staff members trained in OSAPP, a certified substance abuse program. Pine Grove has developed a substance abuse program that is based on the principles and characteristics of effective programming and has one person trained to deliver this program.

The Regina centre has implemented an Aboriginal life skills program called Balanced Lifestyles, while the Prince Albert centre has adopted a cognitive skills program called Discovery. These programs have not yet been

[6] Saskatchewan Corrections uses Manitoba's risk/needs assessment, which has been validated for an inmate profile similar to Saskatchewan's. 'Validated' means compared with (1) risk assessments that have been proven through empirical research to predict future recidivism and (2) internal research based on accepted methodologies in consultation with experts in the field of criminal risk assessment.

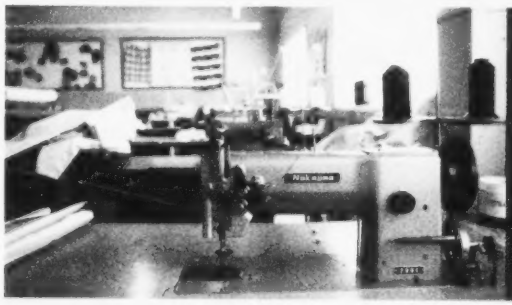
[7] *Strategic Correctional Program Plan 6.*

[8] *Strategic Correctional Program Plan 7-8.*

[9] *Strategic Correctional Program Plan 14.*

evaluated for compliance with accreditation standards or determined to be effective programs. There are seven staff members with education degrees who provide adult upgrading services, and eight out of ten of the current PRISM Industries supervisors have either an education degree or a journeyman certificate. The PRISM program is currently in the process of being redeveloped as an employment skills training program based upon the criteria of effective programming.

The Saskatoon, Regina and Pine Grove correctional centres have an education teacher who delivers Adult Upgrading and GED. Prince Albert has two education teachers.



To fully realize the benefits of community-based programming, Corrections and the community will need to work together.

Comments and Recommendations

While there are many strengths and sound directions in Corrections' strategic plan, it does not include a discussion of program availability for inmates with mental or learning disabilities. Corrections has a duty to accommodate these inmates under the Saskatchewan Human Rights Code.

Accommodation will include ensuring that these inmates have opportunities to participate in reintegration and rehabilitation programming adapted to their special needs and comparable to the programming available to other inmates. Furthermore, inmates with mental or learning disabilities have criminogenic needs that Corrections needs to address.[10]

RECOMMENDATION

+ Provide effective programming to inmates with mental or learning disabilities comparable to the programming available to other inmates.

Of special importance is the need to base programming as far as possible within the community. Naturally, this needs to be done with due consideration to safety and security. However, the significantly improved effectiveness of community-based programming has been proven and challenges long-held beliefs about the need for closer security and control.[11]

To fully realize the benefits of community-based programming, Corrections and the community will need to work together. In some instances, this may require a shift in attitude about inmates from one that would prefer to see them banished from the community towards one that sees inmates as future members of our community who need help adjusting to a law-abiding and productive lifestyle.

RECOMMENDATION

+ Use public education programs to emphasize the need to help inmates adjust to a law-abiding and productive lifestyle, and the consequent benefit to everyone in the community.

The core programs envisioned in the strategic plan promise to significantly reduce recidivism

[10] Correctional Service of Canada acknowledges its obligation to accommodate inmates with learning or mental disabilities in *Commissioner's Directive 700: Case Management*.

[11] David Robinson, "Factors Influencing the Effectiveness of Cognitive Skills Training, Correctional Research and Development," *Forum 8.3* (1996). Robinson has shown that recidivism rates dropped 66.3% for community-based programming and 16.2% for institutional-based programming.

rates. Implementation of the strategic plan, however, may prove difficult. We have heard that some centres' need to use program space to house sentenced and remand inmates limits the space available for program delivery (see "Bed Space").

Corrections may also face problems securing the resources to train facilitators for the envisioned core programs.

Effective program delivery is an essential part of Corrections' mission "to promote safe communities by providing a range of controls and reintegration opportunities for inmates." Space and training resources cannot be considered optional if this mission is to be realized.

RECOMMENDATION

+ Secure sufficient resources to implement the strategic correctional program plan.

Conclusion

We have been advised that implementation of Corrections' strategic program plan will take several years. It does not yet have a full complement of trained staff, and several core programs still need to be developed. To date, Corrections has developed two core programs that are being offered in all four centres: Cognitive Skills and the Offender Substance Abuse Prevention Program. Saskatchewan Corrections recently entered into an agreement with Corrections Service of Canada to coordinate resources, and this should facilitate progress in this area.

Corrections' strategic correctional program plan is based on leading research into programming that reduces inmate recidivism. It is an ambitious plan that deserves support.

COMMENDATION

+ For developing a progressive, strategic correctional program that promises to have a significant impact on the levels of inmate recidivism.

Programming

RECOMMENDATIONS

+ Provide effective programming to inmates with mental or learning disabilities comparable to the programming available to other inmates.
+ Use public education programs to emphasize the need to help inmates adjust to a law-abiding and productive lifestyle, and the consequent benefit to everyone in the community.
+ Secure sufficient resources to implement the strategic correctional program plan.

COMMENDATION

+ For developing a progressive, strategic correctional program that promises to have a significant impact on the levels of inmate recidivism.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

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Case Management

Introduction

Once effective programs are in place, they have to be delivered at the right times to the right people. This is the responsibility of each inmate's case manager, who coordinates inmate rehabilitation and reintegration needs with available programming.

In May 1998, managers in the correctional system reviewed the case management system and identified three areas of concern.[1] They discovered that there was no systematic and standardized approach to case management, there was a lack of evaluation methods and therefore quality control, and there was limited opportunity for staff to develop appropriate skills.

In response, Corrections established an Integrated Case Management Committee to review current practices. By 2000, the committee had completed its review and Corrections was well on its way to implementing a new initiative, which it has termed "Integrated Case Management," explained as follows:

> *Integrated Case Management provides for a collaborative and coordinated team approach to managing an inmate's sentence, with the objective of successfully reintegrating the inmate into the community and contributing to the overall safety of the community. It involves all internal personnel actively engaged with an inmate, as well as partners outside of Corrections Division (i.e. Police, Prosecutions, social services, Mental Health, Parole, community Justice Workers, community agencies, etc.). It focuses on involving the inmate and taking into consideration the concerns of the victim.*[2]

Corrections' review is thorough and frank, and the plans for improvements are based on recognized empirical and theoretical research on inmate rehabilitation and reintegration. The review addresses all the significant issues in case management and the resulting Integrated Case Management Initiative incorporates the best practices recommended by current research.

There would be little to be gained by duplicating Corrections' review. For this reason, the following discussion of case management in Saskatchewan's correctional institutions is restricted to a summary of Corrections' findings and objectives followed by our comments and recommendations.

Findings of the Integrated Case Management Committee

The Integrated Case Management Committee discovered a number of problems with the existing case management system. Above all, it found that the existing operational structures actually inhibited good case management.

- Integration of inmate services inside the correctional institutions and with outside agencies was limited.
- The risk/needs assessment, which was to be the base for case management decisions, was not clearly understood or effectively applied. Furthermore, inmates were not always being placed in the programs indicated by their risk/needs assessment.
- Case management reports were not standardized, which led to inconsistencies and inefficiencies.
- The existing technology did not meet the needs of the envisioned integrated system.
- Inmate and victim issues were not being systematically addressed.
- Quality control needed improvement.
- Accountability and responsibilities were not clearly defined for all levels of the organization.[3]

[1] Saskatchewan Justice, Corrections Division, *Discussion Paper on Integrated Case Management* (internal document, January 1999), 1.
[2] Saskatchewan Justice, Corrections Division, "Integrated Case Management Policy (Phase 1)", 1.
[3] "Integrated Case Management Policy (Phase 1)", 3.

Corrections' Response

Corrections' Integrated Case Management Policy, which was launched in June 2000, addresses the shortcomings of the previous case management system. The Executive Director of Corrections summed up the overall goals of the new integrated system as:

- Effective and timely communication and information sharing between and among all stakeholders, including the inmate and the victim;
- One inmate, one case plan; and
- Effective case plans that manage inmate risk through the involvement of all relevant stakeholders, including the inmate.[4]

In 1998, the concept of Integrated Case Management was new to correctional staff in Saskatchewan. To ease the transition to new case management procedures, Corrections decided to implement integrated case management in two phases.

The first phase, which began in June 2000, introduced standards and procedures for integrated case management. It also initiated standards for time lines, involved all correctional workers and inmates in the case management process, and initiated regular contact between the correctional centres and Corrections' Community Operations Branch.

One year after introducing the first phase of its Integrated Case Management initiative, Corrections undertook reviewing staff understanding and compliance and determining training needs. It discovered that there was substantial support for the concept of integrated case management and that progress toward acceptable levels of compliance and understanding was promising. There were, however, several areas that needed attention.

There was a widespread need to improve the staff members' abilities to use Corrections' risk/needs assessment tool and to apply the results to case planning. This is a serious concern, as these assessments play a central role in the integrated case management initiative because case plans are based on the results. Some staff also had difficulty relating specific programming to criminogenic needs. This is also an integral part of the case management initiative.

Integration implies ongoing communication between partners in the justice system, and the review noted that communication needed improvement. There was general support for the concept of accountability, which would clarify the responsibilities of each staff member and manager.

File organization was inconsistent, and in some cases deemed to be unacceptable. Case managers and inmates commonly left case plans unsigned. It's not known if this means that inmates didn't agree with their case plans or if this was simply an oversight.

Ironically, inmates housed in secure areas, arguably the inmates with the highest risks/needs, received very little case management. This is a regrettable situation. Research has shown that inmates with the highest risk/needs benefit the most from correctional programming.

Despite the need for improvement in several areas, the study concluded that there was substantial support for the concept of integrated case management and that progress toward acceptable levels of compliance and understanding was sufficient to warrant implementation of the second phase of the initiative.

Phase two, which was implemented in June 2002, will address the "integration of services, such as the development of joint case plans (consultation/case conferencing); the holding of pre-release case plan reviews; the sharing of information—assisted by the completion of standardized . . . forms [available on the in-house computer network]; the expansion of stakeholder involvement; and the development of post-release community linkages."[5]

[4] Memo from Don Head, Executive Director of Corrections, to directors and regional managers (May 26, 2000)

Comments and Recommendations

The current time frame for completing an inmate's case plan is twenty-eight days. Corrections' review of the Integrated Case Management Initiative revealed that in the province's four main correctional institutions, case plans were only completed within twenty-eight days 53% of the time. It is our understanding that this does not mean that the amount of time allowed is not long enough given staff member's other responsibilities, but rather that some staff members have not yet fully embraced the concept of integrated case management and the importance of a sound case plan.

Research has consistently shown that programming is most effective when it is initiated immediately after an offence, before an inmate becomes hardened by the consequences of his offence. Case managers generally manage only three or four cases at a time, and many case managers are able to complete the case plans within a week of an inmate's admission to the centre.

The importance of a timely case plan is also evident when one notes that the average sentence for inmates in these centres is only about four months.

Considering all of this, it would be better if Corrections reduced the time frame for completing case plans to better reflect the integral part case plans play in meeting Corrections' objectives for inmates. Twenty-eight days to complete a case plan may well miss the period in an inmate's sentence when he or she is the most receptive to rehabilitation.

There is also a matter of perception: if there is an increased sense of urgency attached to the completion of the case plan, inmates may be more likely to recognize its importance to their rehabilitation and reintegration.

RECOMMENDATION

- Emphasize the need to complete an inmate's case plan as soon as possible, preferably within the first week following admission.

Inmates in the secure areas of Saskatchewan's correctional centres receive little or no case management, yet research on case management shows that program intervention is most effective with high-risk inmates. This inconsistency between theory and practice needs to be resolved. The needs of inmates in secure areas are discussed in "Segregation."

RECOMMENDATION

- Provide case management and programming to inmates in segregation.

On any given day, approximately 80% of the remand inmates in Saskatchewan's correctional centres have served or will be serving thirty or more days on remand status.

At present, with the exception of Pine Grove (Pine Grove does not differentiate between remand and sentenced inmates), time on the remand unit is usually idle time. Other than an hour or two of daily exercise, access to the chaplain and Elder, and occasional access to library books, there is no programming. Work is generally limited to one or two positions as the unit cleaner.

Since these inmates are on remand status, they are under no obligation to participate in any kind of programming. Even so, many if not all would benefit from programming. If programming were offered, some inmates would undoubtedly volunteer to address their needs, others would volunteer simply to ease the boredom, and some wouldn't be interested. Even if only some of the remand inmates benefited from their participation in programming, it would be an improvement on the current situation where none benefit.

[5] Saskatchewan Justice, Corrections Division, Integrated Case Management Policy (Phase 2): 3.

RECOMMENDATION

+ Offer case management and programming to remand inmates.

Conclusion

Corrections' Integrated Case Management Initiative is progressive and ambitious. It is too early to tell how long it will be before the new system is operating optimally, and of course it is too early to calculate the benefits. Nevertheless, it promises to be a marked improvement over previous practices.

COMMENDATION

+ For developing the Integrated Case Management Initiative to better meet the needs of inmates and ultimately the community at large.

Case Management

RECOMMENDATIONS

+ Emphasize the need to complete an inmate's case plan as soon as possible, preferably within the first week following admission.
+ Provide case management and programming to inmates in segregation.
+ Offer case management and programming to remand inmates.

COMMENDATION

+ For developing the Integrated Case Management Initiative to better meet the needs of inmates and ultimately the community at large.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

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Medical Services

Introduction

The Correctional environment creates many challenges for the effective delivery of health care to inmates, including disease control, addictions recovery, and services for inmates with mental and physical disabilities. The incidence of disease among inmates is significantly higher than in the general population, as is the number of inmates with mental disabilities.

Corrections has a duty to accommodate and treat inmates with medical conditions whenever possible. These inmates can also require special management and programming, which is often not available. Of course, all of these issues must be dealt with in an environment where safety and security are of the utmost importance, without compromising the quality of health care provided to the inmate.

Each of the province's four correctional centres has a medical office staffed by nurses and part-time medical professionals working under contract. Corrections has a number of contractual agreements to provide health services to inmates. Some agreements result in the provision of in-house medical services, while others result in services being offered in the community.

The arrangement of these medical services varies from centre to centre, but the services of nurses, a general physician, dentist, optometrist, chiropractor, physiotherapist, psychiatrist, pharmacist and other specialists are available in some form at all centres.

Medical service providers are governed by their own profession's code of conduct. General standards for medical services are set by divisional directives, and each centre creates its own standards within that framework.

Until the formation of the Health Care Review Committee, however, there were no audits to ensure that medical services in the four centres met the same standard or were keeping up with evolving standards in the field of medicine. This is not to say that practices are substandard, but that there has been no coordinated effort to ensure that they are not. This is one of the issues the Health Care Review Committee is currently addressing.

Our review revealed many concerns regarding access to and effective delivery of medical services in the correctional centres. Corrections is aware of these issues and is attempting to address them.

Health Care Review Committee

To address concerns about the provision of medical services, Corrections established a Health Care Review Committee in September 2001. The members of the committee include the Executive Director of Corrections, two nursing supervisors, two nurses, the acting Senior Standards and Inspections Officer, and one centre director.

The committee is examining the medical services presently being offered and identifying immediate and long-term needs in the process. The committee has already addressed some of the issues identified in this report, while others have been brought to its attention during the course of our review. The committee's response to individual issues is acknowledged in the review.

Inmate Rights and Privileges

Inmates' Right to Health Care

Under the Universal Declaration of Human Rights, all persons have a right to a standard of living adequate for their health and well-being, which includes a right to medical care. Inmates retain this right despite having lost their liberty. Corrections, as the inmates' custodian, is legally obligated to provide them with reasonable medical care.[1]

[1] *Oswald v. Canada* (Federal Court of Canada, 1997, FCJ 203)

Furthermore, not only do inmates have a right to receive medical care, but the community also has a vested interest in ensuring they get proper medical care. As already noted, the incidence of contagious disease is considerably higher in inmate populations than in the general community. This affects everybody, because contagious diseases don't respect fences, and when sick inmates are released, their diseases are released with them.

Health Insurance Coverage

All inmates in provincial correctional centres are covered under the province's Supplementary Health Program. The program covers chiropractic services, dental services including preventive, restorative, exodontic and prosthetic dentistry and optometric services for basic eyeglasses. In addition, the $1,800 deductible under the province's prescription drug program is waived, so inmates are provided with prescription medication free of charge.

While inmates are entitled to these benefits, some of the inmates we spoke to were unaware of their entitlement and others were misinformed about the rules for acquiring specific benefits under the program. For example, many inmates thought only emergency dental services were provided, and many held a variety of ideas about access to and qualification for prescription eyeglasses.

Corrections is aware of these problems and has agreed to include information on available medical treatment in a handbook for inmates. Since some inmates have limited reading skills in English, Corrections should also provide this information orally.

RECOMMENDATION

- Ensure inmates are aware of the medical services available to them and how to obtain them.

Inmate Privacy

When inmates are incarcerated they retain the privacy protections afforded by *The Freedom of Information and Protection of Privacy Act*, which establishes a right of access to government documents and, inferentially, privacy rights with respect to personal information held by the government. This means that personal information in inmate admitting, program and medical files is protected and is only available to certain staff members.

For this reason, most corrections workers have no right to obtain the information in an inmate's medical file, and the medical staff does not have an unfettered right to information in the inmate's other files. An exception can be made if information is clearly necessary to protect the mental or physical health or safety of any individual.

In a strictly medical environment, privacy issues are much more straightforward for nurses, doctors and other medical staff: medical information is shared between medical personnel and is used for the purpose it was intended, which is to provide the patient with appropriate treatment.

According to the Canadian Medical Association's Code of Ethics, circumventing patient confidentiality is only permissible when the maintenance of confidentiality would conflict with the doctor's responsibility under the law or when it would result in a significant risk of substantial harm to others or the patient. In these instances, the CMA suggests that all reasonable steps be taken to inform the patient that his or her confidentiality may be waived.

Nurses working in a correctional environment are bound by similar rules of ethics and confidentiality as members of the Saskatchewan Registered Nurses Association and Registered Psychiatric Nurses Association of Saskatchewan, but face some additional challenges.

Corrections nurses have the added responsibility of determining what patient information they can and should share with non-medical staff in the institutional setting. The same rules and exceptions apply, but determining when an exception exists is not always easy.

For example, there are differences of opinion regarding whether medical staff should tell corrections workers which inmates are HIV positive. Corrections' policy is not to disclose this information, but if the inmate's behaviour is such that he is placing others at risk, perhaps it should be disclosed.

One centre clearly shared too much private information by circulating a memo that disclosed to all staff members the specific medical problems of individual inmates without their consent. The same centre was also providing the entire inmate file, including program information, warrants of committal and internal history of charges, to a medical professional in the community, even though only medically relevant information was needed. After we brought our concerns about this practice to the centre's attention, both practices were discontinued.

Corrections has policy addressing the sharing of inmate information, but it does not clearly address the sharing of medical information with corrections workers or the sharing of non-medical information with medical staff.

At the present time, medical personnel have full access to all inmate information on the centres' computer systems. Corrections workers do not have access to the medical files, although some believe they have a right to know about an inmate's medical conditions. Both medical staff and corrections workers have indicated that more clarification is needed.

Privacy issues can also conflict with security concerns. For example, corrections workers are normally present when an inmate receives medical treatment outside the centre, unless the procedure can occur privately without compromising the safety of the medical staff and without the risk of an escape attempt. Some inmates, however, are understandably reluctant to reveal details of their medical conditions to the doctor or nurse with a correctional worker in the room. Consequently, while security concerns cannot be ignored, the presence of the correctional worker might impair the physician's ability to get full information and thereby compromise his or her ability to provide appropriate care and treatment. It would be preferable if security needs could be met without compromising an inmate's right to speak to the physician privately.

RECOMMENDATIONS

- Explain clearly in policy and in workshops under what circumstances corrections workers and medical staff are permitted to share information, and what the limits and rules are.

Corrections has adopted the wellness model, which addresses the social, occupational, spiritual, physical, intellectual and emotional areas of life.

Perspectives on Health Care and Aboriginal Traditions

Whether or not a model of health services delivery is working well is a matter of perspective.

The World Health Organization defines health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity."[1] Corrections has adopted the wellness model, which addresses the social, occupational, spiritual, physical, intellectual and emotional areas of life. The Saskatchewan Federation of Indian Nations' (FSIN) envisions a system that treats the individual as a whole including the body, mind and spirit.

As can be seen, there is considerable overlap in the three approaches. Even so, incorporating the different perspectives on health care has some challenges.

[1] World Health Organization, "WHO as an Organization."

Requests for traditional aboriginal medicines have raised issues for both Corrections and Elders. Corrections is concerned about the risks involved when inmates mix traditional medicines with mainstream medicines. In addition, some Elders are reluctant to administer traditional medicines or healing methods in a correctional setting, which they believe is spiritually unclean. Neither of these issues has been resolved.

Several aboriginal inmates perceive a problem with counselling services, and believe there are too few counsellors with sufficient knowledge of aboriginal culture to meet their needs. Some also claim that native spirituality, although acknowledged as an integral part of overall health, is not wholly supported or even accepted as part of their rehabilitation.

Aboriginal inmates perceive intolerance and ignorance of traditional native spirituality despite the inclusion of smudges, pipe ceremonies, sweat lodges and other cultural practices in the institutions. Recently, Corrections has agreed to quarterly meetings with the centres' Elders to resolve ongoing issues. We anticipate that these meetings will include discussions about traditional medicine.

Métis inmates share the same perspective on health care, but point out that their loss of cultural identity and the absence of treaties place them at a greater disadvantage than First Nations people. For instance, some First Nations bands receive funding for Elders and can use the funding to provide Elder services to band members in jail. Métis people do not receive this type of funding. Also, there is no spiritual programming geared specifically towards Métis needs at the correctional centres, and there likely won't be until more Elders can be employed.

RECOMMENDATION

- Consult with aboriginal and Métis groups to determine the most effective way to deliver health care services that respect aboriginal traditions.

Procedures for Accessing Medical Care

Nurses in two of the four centres interview inmates when they are admitted and carry out an examination. In the other two facilities, nurses on staff see an inmate during the admission process only if the inmate answers 'yes' to one of a small number of health-related intake questions.

During their incarceration, all inmates may either submit a written request to see a nurse or attempt to speak to a nurse when he or she is dispensing medication in the living units.

Inmates who want to see a doctor or other health service provider must submit a request to the medical unit, which screens out problems that can be attended to by a nurse.

If the centre's doctor determines that the inmate's problem requires the care of a specialist, a referral will be made. After seeing the specialist, the centre's doctor attends to follow-up care.

Inmates who disagree with the care offered by the centre have no means of challenging the decision internally. One option is to complain to the College of Physicians and Surgeons, which will consider the case and, if appropriate, advocate on the patient's behalf to ensure they receive proper treatment. The inmates we spoke to were largely unaware of this.

RECOMMENDATION

- Inform inmates that they have the right to contact the College of Physicians and Surgeons if they disagree with the medical care they are receiving.

Medical Service Issues

Detoxification

In the community, detoxification services are more comprehensive than those available in the province's correctional facilities. In the community, individuals can enter a detoxification centre either by referral or by simply showing up at the door.

Individuals are assessed according to the kind of substances they are using, and a withdrawal management plan specific to what they are experiencing is adopted to assist their detoxification. The plan adopted depends on the substance, but may include prescriptions for Valium, or in the case of needle users, Clonadine. Needle users will likely receive medication for bone pain and diarrhea.

At the present time, the treatment plan for withdrawal is determined independently by the medical units in each of the four correctional centres. This has inevitably led to inconsistencies, the effects of which are undetermined.

Regardless of the treatment plan used, none of the centres offers addictions counselling support during withdrawal. Using counselling services in the community is not an option, as inmates do not qualify for authorized absences until some time toward the end of their sentence, and they undergo withdrawal at the beginning of their sentence.

Escorting the inmate to a community facility is also impractical. Corrections does not have the resources to escort and monitor inmates at community detoxification facilities, and these facilities do not have the resources to meet custody requirements on their own. Furthermore, community facilities believe the presence of corrections workers would undermine the effectiveness of their detoxification program by adversely affecting the non-judgemental, supportive atmosphere that is provided.

Detoxification is a painful experience. Corrections has an obligation to minimize the suffering inmates experience by providing treatments and supports consistent with what is available in the outside community.

RECOMMENDATION

- Provide a detoxification program comparable to what is available in the community.

Methadone

In the community, some detoxification centres direct people who are addicted to opiates to a methadone clinic where they may, if appropriate, receive daily doses of methadone to aid withdrawal from these drugs.

Methadone is a narcotic that is effective as an analgesic, but is not addictive. It aids in withdrawal from addictive drugs because it eases both the associated physical pain from withdrawal and the cravings, which are both factors that often drive the patient to return to using drugs if they are not treated properly.

Current correctional policy permits an inmate who is already enrolled and participating in a formal methadone program in the community to continue the program while incarcerated, but does not permit an inmate to start a methadone program during incarceration, except in extraordinary circumstances. Inmates may apply for and enrol in a methadone program, but will not begin

to receive the drug until they are released into the community.

Saskatchewan's policy on methadone use is the same as every other provincial jurisdiction, and so are the reasons, including the risks associated with the presence of a narcotic on the premises and the potential for an unmanageable burden of work for nursing staff.

Nevertheless, restrictions on methadone use may be counterproductive. Opiate-addicted individuals who do not qualify for methadone treatment may well resort to muscling and intimidation to get the drugs they need to help them cope with withdrawal. This not only places other inmates at risk, but also potentially increases the demand for and supply of illicit drugs in the centres.

By not allowing inmates to follow a methadone program while they are incarcerated, Corrections is denying them access to treatment that is available in the community while leaving the inmate without a viable alternative. The result is a lower standard of care than what the individual could access in the community.

RECOMMENDATION

- Permit inmates who would otherwise be eligible for the methadone program to participate while they are incarcerated.

Mental Health Services

According to the Canadian Mental Health Association (CMHA), the term "mental illness" refers to a variety of diagnosable mental disorders. These disorders are defined as "health conditions characterized by alterations in thinking, mood, or behaviour (or some combination thereof) associated with distress and/or impaired functioning."[1] The definition is broad and includes problems associated with drug and alcohol addiction, which are common problems for inmates.

The Canadian Mental Health Association estimates that one in five Canadians are, at some point in their lives, affected by a mental illness. In provincial correctional facilities, that number is almost certainly higher.

Correctional Services of Canada found that most inmates in the federal system suffered from one or more mental disorders.[2] In the Alberta correctional system, "a lifetime prevalence rate of 92% for all mental disorders combined (including substance abuse, antisocial personality, and anxiety disorders) was established, a rate twice that expected on the basis of the community rates."[3]

The high number of inmates in provincial correctional facilities who suffer from mental illness clearly establishes the need for appropriate, accessible treatment. In addition, these inmates require special management and programming, which unfortunately is often not available.

Treatment Services and Rehabilitative Programs

The CSC, through the Regional Psychiatric Centre in Saskatoon, provides a psychiatric rehabilitation program in a maximum-security environment. A range of psychiatric services is provided, including the assessment and stabilization of mental disorders.

According to the CSC, treatment methods may include a combination of medication and several cognitive-behaviourally oriented group and individual interventions, including some CSC Core Programs. (Cognitive Living Skills and OSAPP).[4]

Corrections provides programs similar to the Regional Psychiatric Centre's through the North Battleford Hospital's Forensic Unit, but does not offer a maximum-security environment. As a result, the Regional Psychiatric Centre receives most of the acute-care patients from the provincial jails. Once inmates are stabilized at the

[1] Canadian Mental Health Association, "Fact Facts."
[2] John H. Hylton, "Care or Control: Health or Criminal Justice Options for the Long-Term Seriously Mentally Ill in a Canadian Province," *Perspectives* 18:1 (1995): 48.
[3] Health Canada, *The Mentally Ill and the Criminal Justice System: Innovative Community Based Programs* (1995): 14.
[4] Regional Psychiatric Centre, Saskatoon, "Psychiatric Rehabilitation Program."

Regional Psychiatric Centre, they can be moved to North Battleford for ongoing chronic care.

There are few programs in provincial centres that are designed to address mental health needs. Of the programs that do exist, most do not operate at the same level of intensity as those in the community.

Furthermore, programming available in the federal correctional system and at the Regional Psychiatric Centre is not accessible to provincial inmates unless they are so disruptive or unstable that corrections workers cannot manage them.

Although the community has better treatment programs than the provincial correctional centres, the programs are not necessarily concentrated in one area, which makes access for inmates difficult. Even if access were not difficult, treatment in the community would still not be an option for the majority of inmates because community services do not have the resources or the facilities to provide a secure environment.

Furthermore, Corrections says that it does not have the manpower or the resources to provide the security and control needed to take inmates to community programming. Consequently, access to community mental health programs is limited to the small number of inmates who qualify for some form of early release program near the end of their sentence.

Although assistance for inmates with mental health problems is limited, the correctional centres do provide a core of services that are designed to prevent suicide and maintain the stability of inmates with mental health problems. The following is a brief description of those services.

Nursing Staff: Some of the nurses are Registered Psychiatric Nurses, who are trained to do one-on-one counselling and suicide intervention. In three centres, there is an observation cell in the nursing unit for suicidal inmates. In the other, suicidal inmates are observed by a corrections worker in an observation unit. In all four institutions, nursing services are provided for sixteen hours a day, seven days a week.

General Practitioner(s): Physicians visit the centre one to three times weekly and, in the absence of the psychiatrist, will counsel inmates who present with psychiatric problems. The physician may consult with the psychiatrist, review medication, refer or admit the patient to a hospital or take other appropriate action. The physician is available for telephone consultation when not on-site.

Psychiatrist(s): Psychiatrists visit the institution on average one afternoon per week, and see approximately six patients per visit. The psychiatrist is available to the nursing unit within limited time frames for telephone consultation regarding medication and care. Outside of these hours, all four institutions rely on their local hospitals for emergency psychiatric care. In all of the centres, inmates felt the psychiatrist did not spend sufficient time with them. The psychiatrists, on the other hand, told us they spent at least as much time, if not more, with the inmates than with patients in the community.

Corrections Workers: In some centres, corrections workers conduct suicide risk assessments, primarily on admission. Also, in some centres, corrections workers complete suicide risk assessments as part of the casework that is required when an inmate is placed in the general population.

Psychologist: The Saskatoon Correctional Facility is unique in that it provides the services of a full-time, on-site psychologist. Inmates in this facility spoke favourably regarding these services, believing it gave them an alternative to psychiatric care. The psychologist is available for one-on-one counselling, crisis counselling, and psychological assessments. The presence of an on-site psychologist has been something of a pilot project and by all accounts has been very successful. We hope and anticipate that the other centres will eventually follow suit.

Inmates in the Pine Grove facility with mental health problems are referred to Prince Albert Mental Health, but access is slow, with a waiting period of up to one month for an initial assessment and then appointments approximately every two weeks thereafter.

Psychological or professional counselling services are not offered routinely in the men's facilities in Prince Albert or Regina, although the Regina facility is exploring the possibility of hiring a psychologist.

All of the provinces face the challenge of treating inmates with mental health problems and have developed different strategies.

In Ontario, the provincial correctional system is moving toward a medical model of incarceration, where inmates are able to access mental health treatment programs within a separate medical facility.

- Enhance programming designed to meet the mental health needs of the inmate population while they are incarcerated and after they are released.

SUGGESTION

- Examine Saskatoon's experience with a psychologist and consider whether an on-site psychologist would be appropriate in all centres.

Disease Management

Inmates live and work in close quarters. In any population, this raises the risk of disease transmission. This is especially true for a population of incarcerated inmates, where the incidence of dis-

Inmates in this facility spoke favourably regarding these services, believing it gave them an alternative to psychiatric care.

British Columbia has created a liaison position with its Social Services Department that "has the potential to assist mentally disordered persons to link up with the community programs they need following release." This is an important step in rehabilitation and reintegration that is often neglected, and increases the inmate's chances of success.

Saskatchewan Corrections does not have a comparable program.

COMMENDATION

- To Saskatoon Correctional Centre for its decision to have an on-site psychologist.

RECOMMENDATIONS

- Improve inmate access to mental health professionals.

ease is significantly higher than in the general population.

This presents a serious challenge to Corrections, which must not only protect the health of inmates and staff, but must also minimize the risk of inmates returning to their communities with a communicable disease.

Public Health has established protocols for the management of communicable diseases and correctional centre health care providers consult with Public Health on these issues. Until the Health Care Review Committee was formed, there was no coordinated approach internally to determine the presence of communicable diseases. The committee is presently working on this issue.

Current Policy and Practice

In an environment where large numbers of people live and work in close proximity, effective disease management practices are essential. In all centres except Prince Albert, the management of communicable diseases relies heavily on inmates reporting to the medical unit. Mandatory testing of inmates when they are admitted would provide useful information for the management of communicable disease. This is not done in Saskatchewan, nor is it done in other provinces, although some provinces have mandatory testing for tuberculosis.

Interestingly, the inmates we spoke to favoured mandatory testing. Mandatory testing is expensive, which is a deterrent. Nevertheless, it is not only the health of inmates and staff that are potentially at risk, but also the health of the community into which inmates will eventually return. Such testing should be considered.

Corrections' policy for the management of inmates with communicable diseases recommends universal precautions and provides instructions on when to glove, gown or mask. It also provides information on proper ventilation, when to isolate inmates with certain diseases, and how to properly dispose of infectious garbage and equipment. In other words, there are policies and procedures for minimizing the spread of disease. However, policy provides no guidelines for the medical management of either an inmate's health or the disease. This is left up to the medical staff and contracted physicians.

In Saskatchewan's correctional centres, the medical management of communicable diseases is shared by Correction's central office, which establishes general policy, and each centre's medical unit supervisor and contracted physician. There is no formal organization of these three groups, and consequently there is no Corrections employee with the required knowledge of medical and public health issues in a position of sufficient authority to oversee medical policy and practice in the correctional centres. This has presented a few problems.

- Despite the high numbers of inmates with communicable diseases, all four facilities reported the absence of a unified policy to address their health needs. Inmates were frequently transferred from one institution to another and back again without consultation with nursing staff and without regard for the presence of communicable disease or medication needs. (This is an issue that is currently being addressed by the Health Care Review Committee.) A unified policy would provide consistency of service between centres and would also minimize the risk to inmates who are moved from one centre to another without critical medication or medical health information.
- Provincial policy indicates that all staff members should receive four hours of basic training and annual refresher courses in the management of inmates with communicable diseases. Aside from the induction training received by corrections workers, no follow-up training is provided to any staff members, including nurses.
- Proper sterilization and disinfectant procedures are often not being followed in the cleaning of the correctional centres. For example, when we asked inmates employed as cleaners about effective cleaning methods, they indicated that they were given bleach, but not instructed on proper sanitization methods or universal precautions. In fact, most had no idea what universal precautions were or that such a thing even existed.
- There are no audits to ensure that medical staff, corrections workers and inmates are complying with established medical practice and procedures.
- There is a shortage of data collection regarding the prevalence of disease in the centres and no means of forecasting medical supply and service delivery needs. For example, when Supplementary Health stopped providing glucose monitors to every diabetic inmate, twelve diabetic inmates ended up sharing two glucose monitors. Had Corrections known the average number of inmates in the institution with diabetes beforehand, it could have asked Supplementary Health to provide more monitors and avoided the complications and health risks resulting from having too few.

RECOMMENDATIONS

- Establish a single authority with the required expertise to oversee the delivery of medical services.

- Create detailed provincial guidelines for the treatment and management of communicable disease.
- Ensure that all inmate transfers include consultation with nursing staff so that medical needs are addressed and communicated to the receiving centre.
- Provide all staff members with regular refresher courses on the management of inmates with communicable diseases.
- Perform regular audits to ensure compliance with medical policy.

SUGGESTION

- Explore the possibility of implementing mandatory testing for communicable diseases.

Disease Prevention Education

Provincial policy states that inmates must receive the same information as staff regarding communicable diseases. Despite this, none of the centres provides written information to inmates, although nurses will talk to an inmate about communicable diseases on request. In addition, a public health nurse attends the centres weekly and is available for one-on-one counselling.

Even so, the absence of written information combined with the relatively short sentence length of the average inmate has resulted in some being uninformed.

In our review, we came across one method of disseminating information about disease transmission that deserves mention. In both Prince Albert centres, a native drama group called Kamanakus performed a play about living with Hepatitis C. The drama was the first of its kind at the centres and provided a non-defensive means for inmates to obtain needed information without placing them at risk for exposure. Inmates enjoyed the presentation, and because of its widespread acceptance the nursing unit planned to have the group perform at the centre more often.

COMMENDATION

- To the Pine Grove and Prince Albert correctional centres for their creative approach to disseminating information about disease transmission.

RECOMMENDATION

- Provide all inmates with both written and verbal information about communicable diseases.

Hepatitis C, HIV/AIDS, and Tuberculosis

Only two Correctional facilities, Prince Albert and Pine Grove, keep statistical data on the number of inmates with Hepatitis C. They reported that the average number of inmates infected with Hepatitis C is about 32% of the total inmate population. This number is significantly higher among female inmates: out of approximately 50 inmates in Pine Grove, between 70% and 85% were infected.

In Prince Albert, inmates with Hepatitis C are assigned to the caseload of a specific nurse, who meets regularly with each inmate to follow the course of his disease. In addition to providing education and advice, the nurse facilitates access to a doctor and ensures that prescribed or recommended treatment is provided and that all diagnostic testing, including biopsies, are carried out as scheduled.

Prince Albert has plans to follow the same protocol for all communicable diseases. Not surprisingly, inmates in this centre seemed generally better informed about medical services and complaints were fewer.

With regard to HIV/AIDS, the number of known infected individuals is nominal but our findings were otherwise the same: there is no written standard of medical care or procedure to address the specific health needs of inmates with this disease.

Tuberculosis presents its own problems. All centres will provide a test for tuberculosis when an inmate requests it. This is problematic because inmates do not necessarily know when they have been exposed to the disease and require testing.

Inmates' privacy rights prevent nursing staff from disclosing tuberculosis test results to other inmates, so other than self-declaration, inmates have no way of knowing if an infectious inmate is on their unit or in the facility. Even if an inmate were frequently in close contact with an infec-

tious inmate, he or she would not necessarily know to ask for a tuberculosis test.

We understand that the risk of infection is normally not a great concern unless someone has a compromised immune system. In such cases, precautionary measures are essential, yet to our knowledge none exist.

RECOMMENDATION

+ Address the conflict that exists between inmates' needs to protect themselves from contagious disease, such as tuberculosis, and the individual inmate's right to privacy.

Dental Services

The most serious issue regarding the provision of dental services is the waiting time for inmates to see a dentist. We learned from the College of Dental Surgeons of Saskatchewan that, excluding emergency and preventive dental procedures, the average wait for dental services in the community is one to seven days. In the case of an emergency, patients are usually seen the same day. Not surprisingly, waiting time in each of the four centres is much longer.

At Pine Grove, inmates are taken to a dentist in the community. In the years prior to our review, the Pine Grove facility had considerable difficulty retaining a dentist. The result was a waiting time that was sometimes as long as six weeks. Matters have improved recently, and inmates are currently waiting about three weeks for an appointment.

At the Prince Albert, Saskatoon and Regina Correctional Centres, a dentist provides services in the centre. Between 1997 and the summer of 2001, the Prince Albert Correctional Centre did not have a dentist. Emergencies, usually abscesses, were sent to dentists in the community while non-emergency cases waited.

When the centre finally engaged a dentist in the summer of 2001, approximately seventy inmates were on the waiting list and had been waiting for an estimated six to eight weeks. To reduce the wait, the new dentist frequently offered more time than the contract called for and the centre added

additional hours to the contract. By the fall of 2001, the number of inmates on the waiting list declined to fifty.

In the spring of 2002, the dentist went on leave and lost his dental assistant, leaving the centre without dental services yet again and forty-seven inmates on the waiting list. To address the problem, the centre was taking inmates into the community for dental services, but was only able to arrange two or three appointments per week.

Saskatoon is also having problems. The number of inmates on the waiting list jumped from twenty-eight in the summer of 2001 to seventy by the spring of 2002. Waiting time has correspondingly increased from 3 to 4 weeks to 2 to 4 months. There are also some problems with the age and serviceability of the dental equipment in this facility. The centre has not upgraded its equipment since it was purchased second-hand in the latter part of the 1980s.

Regina had the best record. In 2001, there was no waiting list, and inmates could see a dentist within one to two weeks. By the spring of 2002, the centre was booking appointments within three weeks and there was still no waiting list. However, upgrades totalling approximately $35,000 are needed to continue providing in-house dental care in Regina. As of May 2002, it

was not known whether dental care would continue to be provided in the centre, or if inmates would be transported to the community.

RECOMMENDATION
– Take steps to reduce the waiting time for dental treatment to something close to the waiting time in the general community.

Pain Management Issues
An important issue that is relevant to both dental services and overall health care is effective pain management. A common complaint we heard from inmates in all of the centres was an inability to access adequate pain medication prior to or after receiving dental treatment. Some inmates reported experiencing extreme pain resulting from dry sockets, surgical dental procedures or abscesses and getting only OraGel, oil of cloves, Tylenol or Motrin.

Inmates also told us that problems with pain medication were not limited to dental procedures. They claimed that nothing stronger then Motrin was provided even for pain resulting from broken bones, dislocations, or surgery.

The general physician's contracts may be part of what is creating the problem. These contracts contain either a detailed list of restricted narcotic, psychotropic, hallucinogenic or addictive prescription medications or the phrase "minimize the use of narcotic drugs." Physicians we consulted thought that the clauses limited the prescription of drugs on the list to exceptional circumstances where absolutely no alternative was available.

A similar situation exists for dentists even though their contracts do not impose or imply restrictions on prescription drugs. Dentists can, and sometimes do, prescribe narcotics. However, nurses in at least one centre told us that when this happened, they would ask the centre's physician to replace the prescription with a non-narcotic. For this reason, dentists do not have much control over pain management. After a dental procedure the care of the inmate, pain management in particular, is taken over by the centre's attending physician.

Corrections' desire to limit the use of certain prescription drugs in the correctional centres is understandable. Nevertheless, expecting physicians to modify their treatment to accommodate security concerns may not be appropriate.

The College of Physicians and Surgeons told us that Corrections' policy regarding certain medications was at odds with the duty of the physician. According to the College, a physician in the community deals with the same issues of drug dependency as might be seen in a patient in a correctional facility, and determining medication needs should be no different.

The College acknowledges the centre's need and obligation to control the presence of certain drugs in the centre, but does not agree that it is reasonable to place responsibility for the centre's drug handling, storage and security issues on the shoulders of the physician. The College said that doing so required the physician to consider non-medical factors and impeded the doctor's ability to treat the patient.

After conducting an extensive investigation, our Ombudsman colleagues in Nebraska found that a similar situation existed in that jurisdiction regarding pain medication:

> *Administering pain medications in a corrections environment is a difficult task that must give some consideration to patients' history of drug abuse, and also to the possibility that the drugs in question may somehow end up being sold or bartered in the institution's underground market, rather than being used as prescribed. However, it is also clear that to fail to provide adequate medication for pain is both morally inhumane and con-*

[7] Nebraska Legislative Ombudsman's Report, *Examination of the Medical Services System of the Nebraska Department of Correctional Services* (November 1999), 43.

stitutionally violative of protections against cruel and unusual punishment.

Physicians and dentists must be free to practise as the circumstances and need of their patient requires; the safety and the security of the institution is a responsibility of Corrections and is a matter that must be managed with consideration of appropriate medical care.

RECOMMENDATION

- Remove restrictions, explicit or implied, on the drugs that physicians and dentists can prescribe.

Accommodations for Inmates with Physical Disabilities

Corrections acknowledges its obligation to accommodate inmates with physical disabilities. We could not determine the types of disabilities inmates have brought to the centres and how many inmates are disabled because Corrections does not record this information.

Nurses at Pine Grove and the Prince Albert Correctional Centre screen all admissions for disabilities and recommend appropriate cell placements. In Saskatoon and Regina, the onus is on the inmate to disclose his or her disability. This could present problems, as some disabilities are not obvious, and the need to provide special accommodations may not become apparent until a problem arises.

Inmate privacy rights can also present problems. If an inmate's disability isn't obvious, and he or she doesn't consent to disclosure, it can be awkward explaining to staff and other inmates why he or she needs accommodation.

Fortunately, according to the nurses and inmates we spoke to, there does not appear to be any reluctance on the part of disabled inmates to disclose the nature of their disability.

Corrections not only has a duty to accommodate inmates with disabilities, but the accommodation must also be comparable to what would be available in the general community. This has presented some difficult challenges.

In the area of programming, inmates with learning disabilities are entitled to accommodation, yet nothing is in place for inmates in these circumstances.

RECOMMENDATIONS

- Ask all inmates during the admission process whether they require accommodation for a disability.
- Examine the accommodations for disabilities presently provided to ensure that they comply with the duty to accommodate under *The Saskatchewan Human Rights Code*.

Fetal Alcohol Syndrome / Effects

Inmates with FAS/FAE are of special concern. Fetal Alcohol Syndrome (FAS) is a diagnosis describing a certain set of birth defects caused by drinking alcohol during pregnancy, while more subtle forms of FAS are termed Fetal Alcohol Effects (FAE).[6]

The present estimate of the world incidence of FAS is 1.9 cases per 1000, and there is currently no national data for Canadian estimates.[7]

While there is an absence of data to gauge the extent of the problem in correctional centres, corrections workers and nursing staff in all four provincial correctional centres believe the incidence of FAS/FAE is very high.

Corrections staff told us they are seeing more inmates with low functioning capacity, a higher propensity for violence, little conscience, no sense of belonging and no connection to the community. All of these could be symptoms of FAS/FAE according to the findings of current research. A study conducted by the CSC in July of 1998 states:

[6] Alberta Alcohol and Drug Abuse Commission, "Fetal Alcohol Syndrome and Other Alcohol-related Birth Defects" (February 2000).

[7] Fred J. Boland et al, *Fetal Alcohol Syndrome: Implications for Correctional Service* (Correctional Service of Canada, 1998).

[8] Boland 4.

In adolescence and adulthood the primary difficulties are memory impairments, problems with judgment and abstract reasoning and poor adaptive functioning. Some common secondary disabilities characteristic of adolescents and adults with FAS/FAE include being easily victimized, unfocused and distractible, difficulty handling money, problems learning from experience, trouble understanding consequences and perceiving social cues, poor frustration tolerance, inappropriate sexual behaviours, substance abuse, mental health problems and trouble with the law.

Relatively little is known about FAS/FAE. It is very difficult to diagnose, and effective treatment is unclear. Under these circumstances, designing programming for inmates affected by FAS/FAE presents enormous challenges for Corrections.

Corrections is aware of the problems and the challenges inmates with FAS/FAE present and has been communicating with mental health service providers to find ways to meet the needs of these inmates. Until recently, nursing and corrections staff lacked training in the management of FAS/FAE. To remedy this, Corrections has trained eleven staff who, in turn, will train other staff and new recruits on how to meet the unique needs of these inmates.

COMMENDATION

- For Corrections' efforts to address the needs of inmates with FAS/FAE.

Staffing of Medical Units

The recruitment and retention of medical professionals to work in correctional centres is not easy. Corrections informed us that it has difficulty getting medical professionals to work in the centres. Professionals are not attracted to the work because patients have a multiplicity of health problems that are time-consuming and make for a heavy load.

Nurses

Each correctional facility has a nursing unit where inmates are examined and treated. This unit and its nursing staff are on the front line of health care in the correctional centres. All of the nursing units except Regina's have a nursing supervisor who is also an active line nurse. The nursing supervisor, who reports to the director or deputy director, is generally available from 7:30 am to 3:30 pm, weekdays.

Regina has two nurses on duty per shift. At Saskatoon, Prince Albert and Pine Grove there is one nurse on duty for the morning shift and two for the afternoon shift. Nursing services at all four centres are provided for 16 hours every day, from 7:00 am until 11:00 pm.

The on-duty Assistant Deputy Director (ADD), who is not medically qualified other than first aid/CPR certification, handles medical problems that arise during the night. The ADD deals with emergencies by transporting the inmate to a local hospital. Non-emergencies wait until a nurse arrives in the morning.

Nursing units in the four centres reported problems filling absences when colleagues were sick or on holidays. Permanent staff occasionally

completed double shifts because temporary nurses were unavailable when needed. This arose because many part-time or casual nurses had other part-time work that conflicted with the centre's needs.

Furthermore, the irregularity and infrequency of shifts offered at the centres is unattractive. Even when part-time nurses are available, some permanent nursing staff noted the time spent training and re-orientating a part-time nurse negated the benefit.

While the staffing issues are difficult for nurses, we are unaware of any evidence that these issues negatively affect the delivery of medical services to inmates.

The Health Care Review Committee is aware of these problems and will be making recommendations for improvement.

RECOMMENDATION

- Take steps to address the staffing problems reported by the nursing units.

Training and Continuing Education

Unlike nurses working in obstetrics, surgery or emergency, nurses who work in a correctional facility have not received any specialized training. Anything they learn about working in a correctional centre is learned on the job, and formal training on the job is limited.

All nurses attend recertification for first aid and CPR, and in 2001, some nurses received restraint training and some attended a conference on custody and care. Three of the four centres offer nurses some modules of the Correction Workers Induction Training, but the wait to take the modules was more than two years in some cases.

Aside from these opportunities for training, nurses reported almost no opportunity for continuing education in their field. Some feared they were losing touch with technological and scientific advancement in their field and that the services they were providing were becoming outdated.

The field of nursing is undergoing significant changes due to technological advances and modifications in treatment methodology. Nurses need to keep up with these changes through constant upgrading.

Furthermore, since nurses work closely with inmates, it is important that they receive timely training specific to this role. Making the relevant modules in the Induction Training course more readily available to nurses would help them work more effectively and safely with inmates.

RECOMMENDATION

- Provide nurses with more opportunities for continuing education in both nursing and corrections.

Physicians

Physicians working in a correctional centre face challenges that do not exist to the same extent - or at all - in private practice. Some examples of these challenges include:

- Learning about and knowing how to treat violent and unpredictable inmates;
- Dealing with drug-seeking behaviour including the motivation (threats from other inmates) behind requests for certain prescription drugs;
- Managing a higher-than-normal presence of communicable disease;
- Ensuring inmates living in close quarters are educated and aware of harm reduction techniques so that transmission of these diseases is minimized; and
- Pre- and postnatal care that is complicated by the mother's drug dependence.

Physicians must also become familiar with the rules and regimen of a correctional centre. To meet some of these challenges, the physicians we spoke to said they need support from colleagues with experience treating patients in a correctional centre.

The Correctional Services of Canada (CSC) has an inmate health care system that offers much more support to its physicians than the provincial system. In Saskatchewan, this is partly due to the existence of the federal Regional Psychiatric Centre (RPC) that provides general physicians

working in the federal penitentiary access to medical treatment teams, a pharmacy committee, and a clinical advisory committee.

Physicians working at CSC facilities in Saskatchewan also have access to colleagues at other CSC facilities nationwide. To help physicians and other medical staff familiarize themselves with the correctional environment, the CSC has started providing three out of the six weeks of its Corrections Worker Induction Program to all new contracted medical personnel.

Unfortunately, the provincial system cannot offer comparable support. At present, physicians working in the provincial system do not have access to the medical expertise at the Regional Psychiatric Centre or within the federal penitentiaries. Consequently, when they need help with a medical issue they have to rely on support from other physicians in the community. Locating this support is sometimes difficult as there are not many physicians who are knowledgeable about medical issues in a correctional environment.

To address some of the issues they face, some physicians told us they would like to see training and resources similar to those in the federal correctional system or access to a senior medical director for guidance. These physicians would also prefer to have written protocols that would address such matters as standard treatment and testing for various diseases, data collection and forecasting, and other medical issues unique to the correctional environment. Some said that opportunities for case conferencing and access to a shared medical resource base would also help.

The physicians' requests seem reasonable enough. We understand, however, that Corrections has placed the onus on the physicians for securing training and access to medical support. We trust that the door is not closed on this. CSC has told us they are open to discussions with provincial Corrections about the possibility of including provincial medical professionals in the federal medical services information sharing pool. We believe this is an option that should be explored.

Another approach to the issue of training physicians for working in a correctional environment is to include a rotation in correctional facilities as part of the intern's training. In the United States, negotiations with the medical colleges resulted in the inclusion of correctional facilities in the intern's rotation. Residencies or fellowships were also offered.

In Canada, medical colleges do not require interns to complete a rotation at a correctional facility and no specific training is offered during medical school to afford new physicians an understanding of the practice of medicine in a corrections environment.

A further obstacle to this idea is the fact that none of the medical units within the four provincial correctional facilities is accredited. According to the College of Medicine at the University of Saskatchewan, any medical facility offering a rotation must be accredited or the College of Physicians and Surgeons will not recognize the rotation.

RECOMMENDATION

- Offer contracted medical professionals training to familiarize them with the challenges they will face practicing medicine in a correctional environment.

SUGGESTIONS

- Explore the possibility of entering into a medical information sharing agreement with CSC.
- Investigate the possibility of meeting the requirements necessary for the accreditation of the medical units so interns could complete a rotation at the correctional centres.

Medical Standards and Resources

Standards of Medical Care and Compliance

The need for high standards of medical care in a correctional centre is especially important because, as discussed above, there is a very high incidence of disease in the inmate population, due mainly to high-risk behaviour associated with drug and alcohol use.[1] This high incidence of disease is coupled with close living and working conditions that increase the risk of contagion.

Because inmates will one day return to the community, it is essential to the overall health of the people of Saskatchewan that standards of medical care in the centres are high.

The system presently in place to monitor the delivery of medical services includes provisions in the contracts that require the provider to give direction, advice and training to the centre director and/or nursing staff. This includes making recommendations and participating in the evaluative process of health care services at the correctional centre.

We discovered that although there was no scheduled evaluative process for health care issues, service providers reported ample opportunity to discuss concerns with centre directors.

Despite ongoing communication with the directors, who by all reports were providing positive feedback, there are many medical needs outstanding. Service providers told us they were unable to make progress where recommended changes involved additional expenditure and resource utilization. This was also the experience of the nurses, who told us they encountered problems maintaining and upgrading equipment.

Nurses also told us that they required access to the Internet, a shared client database, video training materials, educational leaflets and pharmaceutical compendiums. These tools would assist nurses in treating inmates and educating them about the importance of matters such as taking prescription drugs properly, the benefits of maintaining a diabetic diet, proper hygiene, and harm reduction strategies for communicable diseases.

Medicine is a complex and dynamic area prone to rapid change resulting from scientific advancement. In this climate, it is difficult for medical service providers to maintain high standards and keep policies up to date without assistance.

Fortunately, organizations like the Canadian Medical Association, the World Health Organization, Public Health, and private accreditation firms exist to fill this need.

Correctional Service Canada, which faces challenges similar to Corrections' in its efforts to maintain high standards in its delivery of medical care, is working with a private accreditation firm to adapt national health care standards to the correctional environment. This is an option that Saskatchewan Corrections may want to consider.

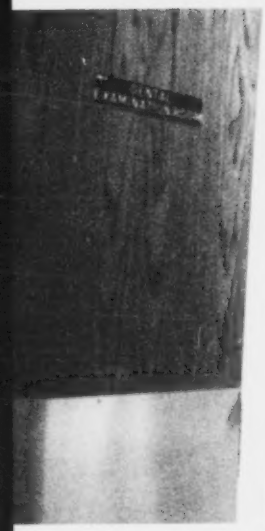
SUGGESTION

- Take steps to ensure that the medical services provided in the correctional centres meet standards established by the CMA, WHO, Public Health or recognized health service accreditation firms.

Pharmaceutical Contracts

Pharmacies are contracted to supply correctional centres with necessary prescription medications. In all four centres, nursing staff prepare prescription orders and submit them to the pharmacy according to specific instructions set out in the pharmaceutical contract. The pharmacy is bound by the contract to fill the orders and ship them to the correctional centre within certain time frames. There are provisions in each contract for prescriptions that require filling on an emergency basis.

[1] Both the Regina and Prince Albert health districts have conducted studies showing a significantly higher-than-normal presence of Hepatitis C infection in the inmate population.



Throughout our consultations, the comments in relation to pharmacies had little to do with the pharmacies themselves, and were mostly concerning the methods of dispensing medications and unfamiliarity with provisions in the pharmaceutical contracts.

Following are some of the problems identified:
+ Nursing units in all centres indicated that they spent an inordinate amount of time ordering, returning and chasing medication histories and prescriptions between centres and far too much time cataloguing and preparing medications prior to dispensing. One centre had four different methods of dispensing medications, which the nurses found cumbersome.
+ The dispensing procedures in place presented problems for some inmates who disliked receiving medication from nursing staff who were not wearing surgical gloves, dispensed pills from open paper caps or split bubble packs in their presence with their fingernail. For their part, nursing staff reported difficulty with the repetition involved in separating and opening hundreds of bubble packs daily.
+ Inmates in all of the institutions stated they did not receive written information regarding the prescription medication they received. Many said they were not aware what the medication was, what the medication was intended to treat or how long they would be taking it.
+ With the exception of the Prince Albert Correctional Centre, none of the pharmacies provided client information leaflets with the prescriptions, even though these were routinely provided to patients in the community. Nurses said they did not have the time or the required resource material to resolve the information shortfall.
+ The Pharmaceutics and Therapeutics Committee may no longer be functioning in at least one centre; the physician at this centre did not know what the Committee was nor had he been called to a meeting. (The Committee deals with new drugs, drug interactions and issues of provincial concern, like bubble packaging. Members include the centre physician, pharmacist, and a representative from the Department of Health.)

After reviewing the pharmaceutical contracts, we discovered they already contained the means through which resolution of several of the problems presented could be achieved. For example:
+ General clauses exist in all contracts requiring the pharmacies to give advice to the centre director regarding supply, storage and distribution of medications at the centre.
+ In three contracts, a representative from the pharmacy is to sit on the Centre's Pharmaceutics and Therapeutics Committee.
+ In one contract, a representative from the pharmacy is to be a member of the centre's Health Care Services Committee and attend regular monthly meetings.
+ One contract requires the pharmacy is to provide two copies of the most recent Compendium of Pharmaceuticals, which is a resource book containing details about prescription medications.

RECOMMENDATION

+ That all centres ensure the Pharmaceutics and Therapeutics Committee is operating and that the provisions for services in the pharmaceutical contracts are utilized.

Technology and Equipment

Many inmates need to take medication at regular intervals or have medical problems that require special assistance. As mentioned previously, serious problems can arise when an inmate is transferred without consideration of his or her medical needs. A shared, comprehensive med-

ical database would help minimize this risk and also reduce duplication of records and treatment efforts, thereby making the health care provided to inmates more consistent.

The Health Care Review Committee is filling some communication needs, but the work of the medical units would be enhanced by up-to-date computer technology. Until the medical units are equipped with the necessary computer technology, communication between the nursing units, which we understand is limited, should be encouraged and supported.

Keeping medical equipment up to date is important to the centres' ability to deliver proper medical services. We discovered that medical instruments, examining tables, dental equipment, secure drug storage, filing cabinets and resource materials such as medical dictionaries and compendiums of pharmaceuticals were either absent or out of date. This can result in delays while equipment is being repaired and increase medical risks in general. For example, in one centre, the autoclave is often in need of repair, resulting in treatment delays and potentially improper sterilization.

Medical staff we spoke to told us that it was often difficult to explain to administrators unfamiliar with medical technology why certain medical equipment was needed. Because of the potential health risks associated with the use of out-of-date equipment, it would be best if Corrections obtained the guidance of a professional familiar with medical technology when determining the equipment needs of the medical units.

There is provision in policy for a review of medical services by a multi-disciplinary team, which could include such a person, but such reviews have not been done.

RECOMMENDATIONS

+ Establish a comprehensive, province-wide medical database that could be shared by medical staff in the four correctional centres.
+ Obtain professional advice on the state and suitability of existing medical equipment.

Conclusion

Our review of medical services took us outside the realm of our normal work and challenged us to grasp and work with unfamiliar concepts. We are grateful for the cooperation and generous support we received from the medical personnel and the Health Care Review Committee, without whom this would have been a much more difficult task.

As this section shows, there are many areas in the delivery of medical services that need improvement. We are encouraged by the formation of the Health Care Review Committee and anticipate that medical issues will be addressed in a timely and appropriate manner.

COMMENDATION

+ To the Health Care Review Committee for identifying and addressing problems in the delivery of medical services.

Medical Services

RECOMMENDATIONS

- Ensure inmates are aware of the medical services available to them and how to obtain them.
- Explain clearly in policy and in workshops under what circumstances corrections workers and medical staff are permitted to share information, and what the limits and rules are.
- Consult with aboriginal and Métis groups to determine the most effective way to deliver health care services that respect aboriginal traditions.
- Inform inmates that they have the right to contact the College of Physicians and Surgeons if they disagree with the medical care they are receiving.
- Provide a detoxification program comparable to what is available in the community.
- Permit inmates who would otherwise be eligible for the methadone program to participate while they are incarcerated.
- Improve inmate access to mental health professionals.
- Enhance programming designed to meet the mental health needs of the inmate population while they are incarcerate and after they are released.
- Establish a single authority with the required expertise to oversee the delivery of medical services.
- Create detailed provincial guidelines for the treatment and management of communicable disease.
- Ensure that all inmate transfers include consultation with nursing staff so that medical needs are addressed and communicated to the receiving centre.
- Provide all staff members with regular refresher courses on the management of inmates with communicable diseases.
- Perform regular audits to ensure compliance with medical policy.
- Provide all inmates with both written and verbal information about communicable diseases.
- Address the conflict that exists between inmates' needs to protect themselves from contagious disease, such as tuberculosis, and the individual inmate's right to privacy.
- Take steps to reduce the waiting time for dental treatment to something close to the waiting time in the general community.
- Remove restrictions, explicit or implied, on the drugs that physicians and dentists can prescribe.
- Ask all inmates during the admission process whether they require accommodation for a disability.
- Examine the accommodations for disabilities presently provided to ensure that they comply with the duty to accommodate under *The Saskatchewan Human Rights Code*.
- Take steps to address the staffing problems reported by the nursing units.
- Provide nurses with more opportunities for continuing education in both nursing and corrections.
- Offer contracted medical professionals training to familiarize them with the challenges they will face practicing medicine in a correctional environment.
- That all centres ensure the Pharmaceutics and Therapeutics Committee is operating and that the provisions for services in the pharmaceutical contracts are utilized.
- Establish a comprehensive, province-wide medical database that could be shared by medical staff in the four correctional centres.
- Obtain professional advice on the state and suitability of existing medical equipment.

SUGGESTIONS

- Examine Saskatoon's experience with a psychologist and consider whether an on-site psychologist would be appropriate in all centres.
- Explore the possibility of implementing mandatory testing for communicable diseases.
- Explore the possibility of entering into a medical information sharing agreement with CSC.
- Investigate the possibility of meeting the requirements necessary for the accreditation of the medical units so interns could complete a rotation at the correctional centres.
- Take steps to ensure that the medical services provided in the correctional centres meet standards established by the CMA, WHO, Public Health or recognized health service accreditation firms.

Medical Services

COMMENDATIONS

+ To Saskatoon Correctional Centre for its decision to have an on-site psychologist.
+ To the Pine Grove and Prince Albert correctional centres for their creative approach to disseminating information about disease transmission.
+ For Corrections' efforts to address the needs of inmates with FAS/FAE.
+ To the Health Care Review Committee for identifying and addressing problems in the delivery of medical services

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

7

Ombudsman
SASKATCHEWAN

Suicide & Self-Injury

Introduction

> *Prisons collect individuals who find it difficult to cope, they collect excessive numbers of people with mental disorder, they collect individuals who have weak social supports, they collect individuals who, by any objective test, do not have rosy prospects. This collection of individuals is humiliated and stigmatised by the process of arrest, police inquiry and court appearance. Prisoners suffer the ultimate ignominy of banishment to an uncongenial institution, which is often overcrowded, where friends cannot be chosen, and physical conditions are spartan. Above all they are separated from everything familiar, including all their social supports and loved ones, however unsatisfactory. This is what is supposed to happen, this is what the punishment of imprisonment is all about. This collection of life events is sufficient in any individual to make him or her depressed -- Sometimes this will inevitably lead to suicidal activity and some deaths.*[1]

The fact that suicidal behaviour and suicides take place in jails should not be surprising. As described in the passage above, many different stressors and factors contribute to inmate despair. Although the above quotation describes circumstances in the United Kingdom, it applies equally in Saskatchewan.

The phenomenon of suicide in jails defies easy explanation:

> *Just as there exists no single dimension or stable combination of factors, whether cultural, psychological, sociological, against which we can plot all suicides, so there exists no single type of suicide among the imprisoned, no single incarcerated suicidal personality, no single profile of the suicidal inmate. Instead a number of different processes result in deaths or other self-injuries behind bars.*[2]

The number of suicides that take place in jails in Canada, the United Kingdom, the United States and Australia is relatively small. Rates are measured in the order of 20 to 100 per 100,000. Between 1981 and 2001, there were 26 suicides in Saskatchewan's four correctional centres.[3]

This low number, however, is not a source of comfort. The suicide rate in prisons has been estimated at four times the rate in the general population. (The literature on suicides in American correctional facilities differentiates between prisons, which generally hold long-term inmates serving more than a year, and jails, which hold short-term inmates. Data from the early 1990s showed that the suicide rate in jails was nine times the rate in the general population, while the rate in prisons was a little less than twice.[4])

Attempts at comparisons between jurisdictions have had to address many variables such as age of buildings, inmate population profiles, average length of sentence, and inmate and staff cultures. Because of the incomplete nature of the data on inmate suicides compiled to date, comparisons should be approached with caution.

The incidence of self-injury is considerably higher than the incidence of suicide. In 1999 and 2000, there were a total of approximately 145 reported incidents of self-injury in Saskatchewan's correctional facilities.[5]

[1] Her Majesty's Chief Inspector of Prisons for England and Wales, *Suicide is Everyone's Concern* (London: Home Office, 1999), 3.11.
[2] *Jail Suicide Update* 4.4 (1992), 4.
[3] Prince Albert (4), Pine Grove (2), Saskatoon (3), Regina (17)
[4] Peter Camilleri et al, *Suicidal Behaviour in Prisons: A Literature Review* (Canberra: Australian Catholic University, 1999), 13.
[5] Saskatoon (26), Regina (45), Pine Grove (one year - 25), Prince Albert (24)

The number of self-injuries and suicides doesn't tell the whole story. Not everyone who is having difficulty coping with incarceration resorts to self-injury or suicide. Some don't act on their feelings, some hide their feelings, and others take out their distress on other inmates and guards. We can only speculate about the magnitude of despair in our prisons that leads some inmates to try to escape by harming themselves or taking their own life.

Self-Harm and Suicide Risk

People engage in self-harming behaviour for a number of reasons. Some inmates engage in self-harming activities as a coping mechanism, to gain control of their lives, to escape unpleasant feelings, to disappoint, to convey anger or simply to feel alive. In some cases, the behaviour is a calculated part of an escape plan or is otherwise manipulative.

Work, education and training are a counter to boredom and idleness, both of which discourage a healthy jail environment.

While some believe that self-harming behaviour is often manipulative, the literature suggests that it is far more often rooted in the same sense of futility and helplessness that leads to suicide. In these cases, self-harming behaviour is a plea for help.

As the following excerpts from various studies indicate, there is a general consensus that there is a strong connection between self-harming behaviour and suicide. Studies consistently note that the belief that self-harming behaviour is most often manipulative is false and can increase the stress on inmates and precipitate more severe behaviour or worse, a resignation to hopelessness. This applies to both male and female inmates, despite the higher incidence of self-harming behaviour in female inmate populations.

> *There are no reliable bases upon which we can differentiate 'manipulative' suicide attempts posing no threat to the inmate's life from those true 'non-manipulative' attempts that may end in a death. The term 'manipulative' is simply useless in understanding, and destructive in attempting to manage, the suicidal behavior of inmates (or of anybody else).*

> *Attempts to differentiate motives behind self-harming behaviour are ill advised, and the consequences of being wrong can in fact be fatal for the inmate.*[6]

A study completed in the United Kingdom concluded that inmates who harm themselves are one hundred times more likely to commit suicide eventually.[7] One researcher noted that self-harm:

> *is a declaration of resourcelessness: the bravest plea the inmate can muster. Without rescue or support, their determination to escape from misery is likely to take a different and more dangerous course. Alternatively, the inmate may omit any 'cry for help' and proceed directly down a pathway to suicide. Not even*

[6] Quoted in Lindsay M. Hayes, *Prison Suicide: An Overview and Guide to Prevention* (U.S. Department of Justice, National Center on Institutions and Alternatives, 1995), 6.
[7] Murray Allen, *Report on an Investigation into Deaths in Prisons* (2000), 8.61.

daring to manipulate their own rescue, these inmates simply give up.[8]

In Saskatchewan, inmates who harm themselves are referred to the medical unit. It is up to the medical unit to assess the inmate, determine whether he or she is suicidal or not, and then recommend appropriate action.

Neither the Suicide Prevention Protocol nor the Suicide Screening Guidelines address previous acts of self-harm as indicators of suicidal risk. However, self-injury is discussed in the induction training where students are invited to explore whether it is manipulative or a precursor to more serious injury.

Given the emphasis in the research literature on the importance of recognizing a link between self harm and suicide, it would be prudent if Corrections emphasized the link in policy to ensure that all staff are informed and suitably vigilant.

RECOMMENDATION

+ Ensure through policy and training that corrections workers do not dismiss self-harming behaviour as manipulative without good reason.

Issues Regarding Suicide Prevention

The Health of the Correctional Environment

The role the jail environment plays in inmate health

The literature consistently maintains that suicide risk is directly related to the "health" of the prison environment. The healthiness of a correctional institution is determined by the programming available, the physical environment, educational, recreational and work opportunities, and perhaps most importantly, the relationship between staff and inmates.

In its widest sense it [suicide prevention policy] must be about creating a climate in which suicidal thoughts and feelings are less likely to take root. Inmates will normally be less prone to suicidal behaviour in the establishment where regimes are full, varied and relevant; where staff morale is high and relationships with inmates positive; where good basic living conditions are provided; where every effort is made to encourage contacts with family and the community'. In short, the problem of suicide can never be separated from the Service's over-arching duty to treat prisoners with humanity and prepare them for release.[9]

Corrections agrees with the need for a healthy environment, and current training for corrections workers emphasizes the need for a positive relationship between staff and inmates. There is, however, room for improvement.

Although Corrections has prepared a strategic plan to meet the programming needs of inmates, it does not yet have the appropriate programs or the necessary instructors in place.

The physical environments of the old section of the Regina and Pine Grove correctional centres are old and do not measure up to the standards set by the Prince Albert and Saskatoon centres. None of the centres has sufficient educational and work opportunities to meet the needs of all inmates. Finally, the four centres concede that although most staff members have a good relationship with inmates, there are still a few who have not fully embraced progressive correctional philosophy.

RECOMMENDATIONS

+ Continue to improve the living environment in the correctional centres.
+ Bring the living environment in all four centres up to equivalent standards.

[8] Allen 8.65.
[9] Prison Reform Trust, 1996. Quoted in *Suicide is Everyone's Concern*, 7.1.

Work, education and training

Work, education and training are a counter to boredom and idleness, both of which discourage a healthy jail environment. At the present time, this is an area that is in need of improvement in Saskatchewan jails.

The Pine Grove Correctional Centre is the only facility that is able to offer a work, education or training (WET) placement to all inmates. WET placements in all centres are for roughly three hours in the morning and three hours in the afternoon.

Prince Albert provides all low-security inmates with a placement, and 70% of the general population of all risk categories who are eligible for a placement either get a placement or are put on the waiting list. Saskatoon estimated that there is a placement for just over 50% of inmates, and Regina estimated there was a placement for about 75% of inmates.

Corrections has developed a strategy to address programming needs. This issue is discussed in detail in "Programming" and "Living Conditions."

RECOMMENDATION

+ With due regard to safety security concerns, ensure that all inmates are occupied in meaningful activities during the day.

Exercise

Physical exercise is as important as work, education and training to an inmate's mental and physical health. Opportunities for physical activity in the province's correctional centres are limited and have diminished in the last few years due to budget constraints.

All of the correctional centres provide some time during each day for exercise, but there is no organized exercise program.

Saskatoon's exercise periods vary depending on the day of the week from roughly 2 ½ hours to 3 ½ hours daily. On weekends and statutory holidays, when there are no opportunities for work, education or training, inmates get only 45 minutes for exercise.

At Pine Grove, inmates can exercise for up to four hours per day. In Prince Albert, inmates get 1½ hours of outside exercise in the winter and 2½ hours in the summer. They also get one hour of gym after outside exercise. In Regina, inmates get one hour of exercise daily.

According to the literature on jail suicides, the inmates most at risk are those who are isolated. Yet in Saskatchewan's correctional centres, these are the inmates who get the least opportunity for exercise. In fact, it could be argued that many of these inmates are not given any real opportunity for exercise at all.

Many inmates are allowed only one half hour per day out for exercise, including segregated inmates in Regina and Pine Grove, inmates on cell confinement and in holding cells in Prince Albert, and inmates on remand and in holding cells in Saskatoon.

Even if these inmates were inclined to exercise during this time there is no exercise equipment provided. In short, their entire day is spent isolated and idle.

The importance of exercise to inmate health was recognized by the United Nations as far back as 1957, when it drafted the Standard Minimum Rules for the Treatment of Prisoners. The rules call for one hour of daily exercise in the open air, weather permitting. None of the centres meets this standard for all inmates.

At this time, Saskatchewan is the only jurisdiction in Canada that does not provide a minimum of one hour of daily exercise to all inmates.

RECOMMENDATION

+ Allow inmates a minimum of one hour of physical exercise every day, with access to exercise equipment, outdoors if possible.

The Role of Corrections Workers

Training in suicide prevention

> *Many factors thought to be associated with suicide are difficult or impossible to measure, such as feelings and perceptions surrounding events in inmates' lives. Therefore, the successful identification of potentially suicidal inmates depends both on our knowledge of quantifiable factors associated with suicide and on our sensitivity toward the inmate's personality and social circumstances. This leads us to conclude that one of the most obvious, and perhaps most important, measures for preventing prison suicide is staff training.*[10]

A prerequisite for employment as a corrections worker is completion of the Corrections Worker Program at the Saskatchewan Institute of Applied Science and Technology (SIAST). The program includes a half-day of training in suicide prevention intended to enable the worker to recognize a person at risk, assess the severity of the situation, respond appropriately through suicide management or referral, and know how to respond to a suicide in progress. SIAST plans to increase the suicide prevention component to two full days.

The training at SIAST is supplemented by a Provincial Induction Training Program that is provided in-house upon commencement of employment as a corrections worker. The module on suicide prevention, which takes 3.5 hours to complete, repeats the training learned at SIAST and includes additional practical information applicable to the correctional centre where the new staff member is employed.

The nursing staff members, all of whom have received training in suicide risk assessment, also work closely with suicidal inmates. In all four centres, all of the inmates who are identified as at risk of committing suicide are referred to the medical unit for assessment.

Although all staff members, or at least nearly all, received suicide prevention training before they started working in the correctional centres, there is no formal provision for refresher courses. Consequently, some staff members and nurses have training that dates back many years. To its credit, the Regina centre provided training in suicide awareness to most of its supervisors and corrections workers between 1998 and 2000.

COMMENDATION

+ To the Regina Correctional Centre for providing suicide awareness training to its staff members.

RECOMMENDATION

+ That Corrections offer refresher training in suicide prevention to ensure that all staff members have training that is up to date.

Relations between staff and inmates

Training is only one part of a good suicide prevention program. The relationship between staff and inmates is equally important, and arguably even more so. This is because understanding the causes of inmate self-injury and suicidal behaviour and recognizing the risk signs work best if staff members have formed a positive relationship with inmates that yields the level of trust necessary for open communication of inmate needs.

At present, it is not possible to quantify the nature of staff/inmate relations in Saskatchewan. There is, however, agreement among both staff and inmates that there is room for improvement.

The importance of the role that staff members play in the health of a jail should not be taken lightly. The United Kingdom report on suicide in prison revealed that "...the attitude that staff demonstrate towards them [inmates] as individuals is the most important aspect of life for the vast majority of prisoners."[11] It is reasonable to assume that the same would apply in Saskatchewan's jails.

[10] "Inmate Suicide: What Do We Know? Studies of Inmate Suicide," *Forum* 4.3 (1992), 3.
[11] Suicide is Everyone's Concern 7.21.

A report done in Australia regarding deaths in prison came to the same conclusion.[12] In fact, both the Royal Commission Into Aboriginal Deaths in Custody and the Parliamentary Commissioner for Administrative Investigations (Ombudsman) in Australia have recommended that "Corrective Services authorities should regard it as a serious breach of discipline for an officer to speak to a prisoner in a deliberately hurtful or provocative manner."[13]

The role corrections workers play in the lives of inmates who are suicidal is important, and not all workers are well suited to fill this role. For example, there is a danger that staff members who have witnessed several suicides or self-injuries will harden themselves to cope with the pain and become blind to signs of distress. Workers who are showing signs of indifference for any reason should be reassigned to duties where the ability to correctly assess the inmates' risk of self-harm is less important.

understanding the causes of inmate self-injury and suicidal behaviour and recognizing the risk signs work best if staff members have formed a positive relationship with inmates

RECOMMENDATION

+ Emphasize the importance of the role that all corrections employees play in inmates' lives.

Suicide Screening

Risk assessment

Inmates are most vulnerable when they first enter the system, and for this reason screening for suicide risk must be done immediately.

To limit the risk for new admissions, the United Kingdom Chief Inspector of Prisons suggested placing new admissions under close observation for the first 48 hours.[14]

Screening should test for characteristics that have been determined to be related to increased suicidal risk, including:

+ Intoxication,
+ Distressed emotional state,
+ Family history of suicide,
+ Previous suicide attempts,
+ Recent significant loss,
+ Limited prior incarceration,
+ Lack of a social support system,
+ Psychiatric history, and
+ Various stressors of confinement.

In addition, screening should occur whenever an inmate is going through a high-risk period, such as divorce or the death of someone close.[15] Although the United Nations Standard Minimum Rules for the Treatment of Prisoners does not require suicide screening for all new admissions, it does call for a medical officer to see and examine every prisoner as soon as possible. This could mean essentially the same thing.

Until the end of 2001, suicide screening at the four correctional centres was not standardized. In two of the correctional centres, a nurse screened all new admissions for suicide risk. In the other two, new admissions were asked a short series of health-related questions by corrections workers and if the answers indicated they might be suicidal they were referred to a nurse.

[12] Allen 9.21.
[13] Allen 15.19.
[14] Suicide is Everyone's Concern 6.23.
[15] Hayes 19.

Under a new suicide prevention protocol implemented in 2002, a corrections worker or nurse is to complete a standardized suicide-prevention questionnaire. If a corrections worker completes the questionnaire and the inmate's answers indicate a suicide risk, the inmate is to be referred to the medical unit.

Corrections workers are not to assess the inmate for suicidal tendencies, but rather nurses are to complete an assessment. Corrections workers are simply to screen inmates to determine whether a referral to the medical unit is warranted. Both corrections workers and medical staff are to review the inmate's electronic and paper file to determine if there is a history of mental health or suicidal behaviour.

The caseworker assigned to the inmate is to develop a case plan that will address any mental health needs. The policy alerts staff to the increased risk of suicide for inmates who are under the influence of or withdrawing from alcohol or drugs.

If at any time after admission, an inmate shows signs of suicidal behaviour, the supervisor or a nursing staff member is to be advised promptly, and the action taken is to be documented.

After the inmate's admission, the identification of suicide risk depends on staff vigilance and inmate disclosure. There will be instances, however, where inmates trying to cope with a traumatic event such as a death or divorce will manage to conceal their feelings. If workers know about the traumatic event, it would be better to refer the inmate to the medical unit for a risk assessment than to rely on outward signs of suicide risk.

Although corrections workers play a large role in suicide prevention, inmates have stated a preference for having a nurse complete the suicide-screening questionnaire. Not all inmates are comfortable discussing personal issues with corrections workers. To minimize the risk of inmates concealing their thoughts and feelings from corrections workers, it would be better if a nurse screened the new admissions in all four centres for suicide risk.

COMMENDATION

+ For developing a suicide prevention protocol to identify, assess and manage inmates who are suicidal.

RECOMMENDATION

+ Have nurses complete a suicide risk assessment upon admission and at other high-risk times, such as following the death of someone close or the breakdown of a significant relationship.

Difficult inmates

Difficult inmates may be reacting to stress in the only way they know how. Their behaviour may be an indication that they are having trouble coping and are at risk. This issue was addressed in the Australian report on Deaths in Prisons:

> *Angry, uncooperative prisoners may be just as much at risk of suicide as those who are depressed. Many such prisoners will have acquired the label of personality disorder because of behavioural difficulties extending back over many years. This should not be taken to mean that they never get into difficulties in which suicide risk might be severe, requiring short-term crisis intervention. Professor Gethin Morgan has termed the syndrome of poor behaviour combined with lack of positive relationships as 'malignant alienation'. The individual fails to respond to intensive help, perhaps relapsing repeatedly or behaving in a challenging and uncooperative way. Attitudes of others become critical and judgemental. The individual is perceived as difficult, manipulative or over dependent, loses the sympathy and support of others and becomes socially isolated.*
>
> *Of course prisoners may sometimes earn criticism of this kind, but it is essential to review their behaviour as objectively as possible. Difficult behaviour may in some cases reflect severe despair and total failure through illness to cope with problems, rather than deliberate misbehaviour, which might have been avoided by self-control. There may be a real risk of suicide in such cases . . .*

> *Basic behavioural principles can be followed by all staff in their dealings with prisoners. The most important thing to remember is that reward for desirable behaviour is far more effective than punishment for undesirable behaviour* [16]

This approach raises an interesting question about discipline charges and difficult inmates. If an inmate is having extreme difficulty coping with the prison environment and behaves in an unacceptable manner, should he or she be charged or treated or both?

The discipline panel, however, is really set up to determine guilt and impose a sanction. If a difficult inmate is found to have committed the alleged offence, even if there are mitigating factors, the panel is constrained to find the inmate guilty. The panel can consider the mitigating factors when determining an appropriate sanction, but the least severe sanction is a reprimand.

When punishment isn't appropriate, some panels issue a reprimand and refer the inmate to treatment or counseling. We understand that this option is used more frequently in some centres than others.

Saskatchewan Corrections is aware that difficult inmates may be struggling to cope and need treatment rather than punishment.

A punitive approach may well be dangerous. Inmates, who by their nature do not cope well in a highly structured and regulated environment, may resort to self-destructive behaviour to control their environment. Consequently, a punitive response may lead to an increase in self-destructive behaviour [17]

Saskatchewan Corrections is aware that difficult inmates may be struggling to cope and need treatment rather than punishment. Corrections workers are expected to use the formal discipline process as a last resort. Their first response is to determine why the inmate is misbehaving and to resolve the matter informally.

Handling an incident in this manner gives the corrections worker an opportunity to determine if the inmate needs treatment or discipline. In the event that an inmate is charged when treatment would have been more appropriate, the discipline panel has the authority to correct the situation.

In the interests of consistency between the centres and fairness, it would be better if the discipline panel had the option of finding an inmate guilty and referring the inmate to treatment rather than being required to impose some kind of punishment. Another option would be to authorize the panel to suspend a sanction pending completion of treatment or counseling.

RECOMMENDATIONS

+ Emphasize the need for corrections workers to continue to consider the motivation behind inmate behaviour and to recommend treatment for inmates experiencing emotional distress whenever possible.
+ Encourage the discipline panel to consider treatment as an option to punishment when the inmate's behaviour is the result of emotional distress.

[16] Allen 10.120.

[17] Heather L. Holley and Julio Arboleda-Florez, "Hypernomia and Self destructiveness in Penal Settings," *International Journal of Law and Psychiatry* 11.2 (1988), 167-78.

SUGGESTION

+ Consider amending *The Correctional Services Act* to authorize the discipline panel to suspend a sanction pending completion of treatment or counseling.

Procedural Responses to Suicidal Inmates

Management of inmates at risk of suicide

Inmates in crisis are identified by Corrections staff through a variety of means: assessment with formal screening tools, self-declaration, staff/inmate observation of altered behaviour or tips from outside sources such as family members.

Once alerted to a potential problem, a nurse will meet with the inmate, assess the situation and likely consult with the general practitioner or psychiatrist about a course of treatment. Depending on the circumstances, an inmate might remain on his or her unit, be transferred to a hospital, or be placed in an observation cell until the doctor or psychiatrist can see him or her.

After the initial screening, the attending psychiatrist or general physician decides the course of treatment, and the nurses carry out the doctor's orders. In the more serious cases, placement in an observation cell is the method of suicide prevention mostly commonly used by the centres, with close supervision in the general population as an alternative.

Observation cells in Pine Grove, Prince Albert and Saskatoon have a similar physical make-up, and consist of a windowed observation room situated between two cells. Other than in the Saskatoon facility, inmates remain in these cells for 23 ½ hours per day, under constant observation.

The Regina Correctional Centre has a 15-cell unit designated for observation and recovery. As in Pine Grove and Prince Albert, inmates in crisis remain in the their cells for 23 ½ hours per day under constant observation.

In the Saskatoon facility, the amount of time spent in an observation unit is restricted to nighttime hours in most instances. During the day, inmates are placed in a dormitory with several other inmates or are double bunked. A "buddy system" is also used to ensure the inmate is never alone. The methods used by the Saskatoon Centre are both innovative and in keeping with Corrections' "least restrictive measures" policy.

Saskatoon's suicide prevention strategy is consistent with the research on jail suicides, which recommends isolating suicidal inmates only as a last resort, since isolation exacerbates the inmate's distress. Inmates told us that the experience of being isolated in the observation cell is unpleasant, and consequently inmates will try to tough it out in the general population rather than admit they are having trouble coping. This is clearly not in their best interests.

The recently drafted divisional policy on suicide prevention recognizes that placement in a general population unit or in a dorm are alternatives to isolation in an observation cell. Unfortunately it does not go as far as recommending that isolation be used only as a last resort.

COMMENDATION

+ To the Saskatoon Correctional Centre for the implementation of innovative suicide prevention practices.

RECOMMENDATION

+ Revise policy to state that isolation is to be used only as a last resort in suicide prevention.

Supports available to inmates at risk

Inmates who are contemplating suicide or self-harm can talk to a fellow inmate or a staff member or request to see a nurse. Nursing coverage, however, is available for only 16 hours per day.

One should not expect suicidal inmates to be comfortable discussing private emotional or mental problems with just any staff member or even other inmates. For most of the day, this is not as large a problem as it might be at night, when there is only a limited complement of staff available and inmates are in their cells. The dormitory units in Prince Albert, Pine Grove and Saskatoon are an exception.

Many systems have been tried to meet the needs of inmates who are having trouble coping. The Chief Inspector of Prisons in the UK has recommended the use of suicide support workers who are trained to deal with suicidal inmates and have the authority to implement programs and allow special privileges designed to address the suicidal inmate's needs.

Other jurisdictions have also experimented with various kinds of inmate "buddy" systems. The most important thing these different ideas have in common is understanding, compassionate human contact.

+ *Inmate support schemes*—In the United Kingdom, prisons have tried training prisoners to deal with suicidal inmates and have also tried buddy systems. Confidentiality in these systems is a major concern. Some maintain that protecting confidentiality is necessary to gain the suicidal inmate's trust. Others argue that this is not necessary and places an unreasonable burden on the fellow inmate.[18]

In the United States, prisons have had some success with training prisoners and paying them to work as "companions" with suicidal inmates.[19]

For the past few years, the Saskatoon Correctional Centre has been using a buddy system to help inmates who are suicidal, and does not appear to have experienced any significant problems. The intent is to keep watch over the distressed inmate and offer companionship. Inmates volunteer and receive basic instructions on their responsibilities. At this point, there is no instruction booklet for inmates volunteering for this duty.

The Suicide Prevention Protocol recognizes the merit of Saskatoon's buddy system and offers it as an alternative for all centres. The protocol refers to the option as "peer support", which it states can include double-bunking, joint work assignments, and companion support roles.

The protocol calls for volunteers to be advised of the responsibilities of their role but it does not require any formal instruction. Once the practice becomes more widespread, it would be best if the instructions inmates received were standardized in a booklet to ensure that all volunteers receive all the information they need.

RECOMMENDATION

+ Prepare a booklet explaining the role of volunteers for the peer support program.

+ *Family involvement in suicide prevention*—The centres commonly receive calls from the outside, often from family members, to report that an inmate is having difficulty coping. These calls should not be taken lightly. Inmates can be expected to more openly discuss their feelings with family members than with corrections staff.

Even when they are confronted by correctional staff following a phone call from a concerned family member, inmates may choose to guard their feelings. This may leave the correctional staff to conclude that the risk is non-existent or smaller than it is.

The suicide prevention protocol adopted in 2002 recognizes that family and community supports are important resources for distressed inmates. However, it does not appear to contemplate any special privileges for these inmates.

This is regrettable given that suicidal inmates often are in desperate need of support from people they trust. Not all inmates have family support, but many do. Additional phone privileges or increased visits could go a long way toward helping the inmate cope.

The Australian Parliamentary Commissioner for Administrative Investigations (Ombudsman) has stated the following:

> *It seems to me undeniable that the involvement of family members through*

[18] *Suicide is Everyone's Concern* 5.26-30.
[19] *Suicide is Everyone's Concern* 6.28.

visits, telephone contact or special meetings should be an essential component of any suicide prevention or management strategy.[20]

RECOMMENDATION

+ Increase phone and visiting privileges for suicidal inmates to allow them better access to family and community supports.

+ *The role of medical staff*—Members of the medical staff play a key role in any suicide prevention strategy. In Saskatchewan, all inmates who are believed to be suicidal are referred to the nurses, who are available 16 hours per day. After assessing an inmate, nurses will refer to the centre physician or psychiatrist as required.

If medication is prescribed, the nursing staff dispenses it. Nurses will also decide, either on their own or in consultation with the physician or psychiatrist, whether an inmate needs to be placed in an observation cell.

A decision by the medical unit to place an inmate in an observation cell is not to be challenged.

Nursing staff are to place a suicide alert on the centre's electronic Management Information System so that all staff members who have dealings with the inmate can assist with suicide prevention efforts. A suicide risk alert is only to be removed by the centre physician, psychiatrist or psychologist.

+ *Psychological care*—In September 1999, the Saskatoon Correctional Centre hired a resident psychologist. The psychologist's duties include individual assessment of inmate needs, program development, and consultation with corrections workers about inmates.

Inmates who wish to meet with the psychologist are expected to complete a referral form with the help of their caseworker. Our information is that the presence of a resident psychologist has benefited both staff and inmates.

It should be noted that in many jurisdictions in Canada and the United States, the presence of a resident psychologist or team of mental health professionals is often the norm rather than the exception.

COMMENDATION

+ To the Saskatoon Correctional Centre for employing a resident psychologist to provide ready access to professional advice about mental health issues to both staff members and inmates.

+ *Elders and chaplains*—Inmates can see an Elder or chaplain on request. Elders and chaplains, however, are not available at all times. In Regina, the Elder is on contract for 32 hours per week, at Pine Grove for 16 hours per week, and at Saskatoon for 24 hours per week. Prince Albert has two Elders, one on contract for 40 hours per week and one for 16.

The contract hours for the chaplains are slightly different. Regina's chaplain is on contract for 32 hours per week, Pine Grove's for 22 hours, Prince Albert's for 40 hours and Saskatoon's for 20 hours per week.

Unlike the Elder, the chaplain is usually assisted by a large network of volunteers, with Regina being an exception. In Regina, the chaplain is assisted by two interns rather than volunteers.

In all centres, the Elder and chaplains are expected to work on call in case of emergencies, such as suicides. Although we have heard that there are not enough Elders to meet inmate needs, if an inmate is having substantial difficulty coping, he or she can generally see an Elder or chaplain within a day.

[20] Allen 11.68.

The use of separation and seclusion as a response

The literature is unanimous in its conclusion that separation and seclusion is non-therapeutic for suicidal inmates and can actually increase the risk of suicide.

> *Seclusion is a nursing technique on the one hand and a punishment strategy on the other. It is a useful nursing technique in the management of highly disturbed, usually psychotic, and violent patients who are a danger to others. It is never used in a hospital setting for suicidal patients because it is a depressing experience that can increase suicidal ideas...In short, seclusion is anti-therapeutic.*[21]

It is common practice in some Saskatchewan correctional centres to place suicidal inmates in observation cells.

A study based on 86 suicides committed in the U.S. Federal Bureau of Prisons system between 1983 and 1992 revealed that "...approximately 68 percent of the inmates who committed suicide were on "special housing status (e.g., segregation, administrative detention, or in a psychiatric seclusion unit) and, with only one exception, all victims were in single cells at the time of their deaths."[22]

Administrative and disciplinary segregation are not the only forms of isolation. It is common practice in some Saskatchewan correctional centres to place suicidal inmates in observation cells. In the Regina Correctional Centre, the regime for inmates in observation cells is only marginally less restrictive than the regime for inmates in segregation cells.

A comprehensive Australian report on deaths in prisons reported the following about observation cells. Medical observation cells:

- Are inappropriate for suicidal prisoners;
- Are degrading, boring and intimidating;
- Cause sensory deprivation;
- Are seen as punishment;
- Engender feelings of anger and rage;
- Have no therapeutic benefit if observation by officers is merely 'watching' without interaction;
- Prevent suicide in the short term but do not address the underlying causes;
- Are over-used;
- Increase distress; and
- Discourage prisoners from revealing fears and anxieties.[23]

The use of isolation is based on the assumption that suicide risk can be reduced by limiting access to opportunities. This response fails to consider that the underlying causes for suicidal ideation or behaviour will persist and that the experience of isolation may actually increase an inmate's resolve to harm him- or herself once an opportunity arises.[24]

RECOMMENDATION

- Expose suicidal inmates who have to be segregated and closely observed to as much human

[21] John Gunn, quoted in *Suicide is Everyone's Concern* 5.51. See also Allen 10.108.
[22] Hayes 4. See also Allen 8.28, and Natalie H. Polvi, *Assessing Risk of Suicide in Correctional Settings: Estimate of Suicide Risk Checklist* (ESR) (Correctional Service of Canada), 21.
[23] Allen 10.185.
[24] Joseph Reser, 'Design of Safe and Humane Cells', quoted in Allen 10-189.

contact as possible, and allow them as much freedom of movement as possible to minimize their sense of isolation.

Ongoing care for prisoners

After inmates are treated in an observation cell, or in more serious cases, in a hospital, the need for ongoing care is very important if the risk of future suicide or self-harm is to be minimized. The Australian At Risk Management System includes a checklist for ongoing monitoring of inmates who have been released from observation cells. The list includes "...the briefing of all unit staff, the making of a follow-up appointment with a health professional, procedures to ensure the continuity of care and support, the organisation of activities for the prisoner and a suitable cellmate if appropriate, and the level of supportive supervision required by the prisoner."[25]

In Saskatchewan, responsibility for the ongoing care of inmates who have been treated for suicidal risk and returned to the general population falls to the inmate's caseworker. At this point, there is no policy or checklist to help caseworkers ensure that all recently suicidal inmates receive appropriate follow-up care.

The recently drafted Suicide Prevention Protocol does address the need for follow-up treatment for suicidal inmates who are being released from jail. The protocol calls for contact with community health personnel, an appropriate treatment plan for ongoing medical and therapy needs, referral to a community hospital or community health clinic, and notification of next of kin or sponsor.

RECOMMENDATION

+ That Corrections provide all caseworkers with standardized guidelines to follow for inmates who have been recently treated for suicidal risk.

[25] Allen 9.56.
[26] Hayes 23.
[27] Hayes 25

Procedures When a Suicide Victim is Discovered

> *Following a suicide attempt, the degree and promptness of the staff's intervention often foretell whether the victim will survive. National correctional standards generally acknowledge that a facility's policy regarding intervention should be threefold. First, all staff who come in contact with inmates should be trained in standard first aid procedures and cardiopulmonary resuscitation (CPR). Second, any staff member who discovers an inmate attempting suicide should immediately survey the scene to ensure the emergency is genuine, alert other staff to call for medical personnel, and begin standard first aid and/or CPR. Third, staff should never presume that the inmate is dead but rather should initiate and continue appropriate life-saving measures until relieved by arriving medical personnel.*[26]

Procedures for corrections workers to follow when they discover a suicide victim are included in the Induction Training Program, but are not part of formal policy.

Since suicides are relatively rare, it is expecting a lot to suppose that a corrections worker is going to be able to correctly follow procedures that were discussed in the early part of his or her training, without a reference in policy and without refresher training. In some instances, proper procedures may be a matter of life or death.

It may be tempting for staff members who have had some experience with suicide victims to make determinations about the presence of life. This is ill advised for any layman. Except in the most obvious of cases, staff members should act as though the inmate is alive and attempt resuscitation until medical staff or ambulance attendants arrive.

Following a suicide, it is essential that a thorough administrative review is conducted to determine what happened and what, if anything, can be done to minimize the risk of future incidents. The National Institute of Corrections in the United States recommends that the following be included in a review:[27]

+ A critical review of the circumstances surrounding the incident;
+ A critical review of prison procedures relevant to the incident;
+ A synopsis of all relevant training received by involved staff;
+ A review of pertinent medical and mental health services involving the victim; and
+ Any recommendations for changes in policy, training, physical plant, medical or mental health, and operational procedures.

Although Saskatchewan Corrections does not have written policy addressing the protocol for an administrative review, we know from our own work surrounding inmate suicides that in the last several years, Corrections has completed an administrative review that meets the above criteria following every suicide.

RECOMMENDATION
+ Develop policy and procedures for staff to follow if they discover a suicide victim.

Effects of suicide on other inmates and staff members
Despite the best efforts, suicides still happen. When they do, the staff members on duty and the inmates who know the inmate or are nearby are all affected. Some of them may need help coping.

In November 2001, Corrections officially recognized the need to offer help to staff members and inmates who are having trouble coping with a suicide.

Workers who were involved or affected attend an operational debriefing to discuss what happened, and are all invited to meet with an outside counsellor to discuss their response to the suicide. Elders and chaplains are available to inmates who are having trouble, and inmates can ask for medical help.

It is also becoming increasingly common to hold memorials in the correctional centres for the deceased inmate to help staff members and inmates deal with the suicide.

COMMENDATION
+ For developing policy to officially recognize the need to help staff and inmates who are having trouble coping with a suicide.

Dealing with the families of deceased inmates
Corrections policy does not address the needs of a deceased inmate's bereaved family. Correctional Centre directors will normally ask the police to notify family or next of kin.

There is an understandable reluctance on the part of Corrections to become directly involved while there is an ongoing police investigation or possibly a lawsuit. Nevertheless, representatives from some centres have spoken to surviving family members after consulting with police.

This is a commendable practice, as the correctional centre is much better positioned than the police to answer the questions of the bereaved family and as the custodian of the deceased arguably has a moral obligation to assist the survivors.

In addition to meeting with the survivors, Corrections might also consider offering bereaved family or next of kin an opportunity to visit inmate or staff friends of the deceased.

SUGGESTION
+ Offer bereaved family members or next of kin an opportunity to meet with inmate and staff friends of the deceased inmate.

RECOMMENDATION
+ Designate a representative from each centre to meet with the survivors of deceased inmates.

[27] Hayes 25

Corrections' Responses to Coroner's Recommendations

In Saskatchewan, a coroner's inquest is held whenever a person who is an inmate in a correctional centre dies. The purposes of the inquest are to:

+ Ascertain the identity of the deceased and determine how, when, where and by what means he or she died;
+ Inform the public of the circumstances surrounding a death;
+ Bring dangerous practices or conditions to light and facilitate the making of recommendations to avoid preventable deaths; or
+ Educate the public about dangerous practices or conditions to avoid preventable deaths.[28]

The recommendations made by a coroner's jury resulting from an inquest into a death at a correctional centre are not binding, and no authority exists to monitor compliance with the jury's recommendations once it has concluded its business, so Corrections is free to accept or reject them.

With this in mind, we reviewed a list prepared by Corrections of recommendations made by coroner's juries for each of eight suicides between 1997 and 2000 and the responses of each of the province's four correctional centres. The list was prepared at the request of the executive director, who wanted to ensure that recommendations are implemented or that sound reasons are provided for their rejection.

We noted that in some instances, a recommendation could not be incorporated into the existing physical structure of the centre. For example, one jury recommended the installation of solid flooring between units on different floors to prevent inmates passing items through the floor, which is made of iron grating. However, according to an engineering report that had been completed, this was not a structurally viable option.

In another instance, a jury recommended that all health history forms be reviewed by the nursing supervisor and the assistant deputy director. All four centres rejected the recommendation that the assistant deputy director review the health history forms on the grounds that this would be a breach of confidentiality.

Sometimes Corrections decides that there is an alternative to a coroner's recommendation that is better. For example, in response to the recommendation that video cameras be installed in all solitary confinement cells, all of the directors stated that staff interaction with the inmates was preferable.

With regard to recommendations directed at correctional practices, Corrections has recently appointed one of its own senior staff members to ensure that Coroner's recommendations are accepted or that sound reasons exist for not accepting them.

While this self-monitoring procedure is commendable and ought to continue, the monitoring is in-house.

Since recommendations directed at Corrections are arguably a matter of fairness involving inmate services and therefore a matter that falls within the Ombudsman's mandate, the Ombudsman is an appropriate agency to conduct an independent review. We undertook this role some years ago, and will continue to monitor Corrections' response to the Coroner's recommendations.

COMMENDATIONS

+ For taking the initiative to review coroner's recommendations for the past five years to ensure they were either implemented or sound reasons existed for their rejection.
+ For appointing a senior staff member to monitor the implementation of all future coroner's recommendations.

[28] *The Coroner's Act*, sections 19 and 20.

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres
October 2002

Suicide & Self-Injury

RECOMMENDATIONS

- Ensure through policy and training that corrections workers do not dismiss self-harming behaviour as manipulative without good reason.
- Continue to improve the living environment in the correctional centres.
- Bring the living environment in all four centres up to equivalent standards.
- With due regard to safety security concerns, ensure that all inmates are occupied in meaningful activities during the day.
- Allow inmates a minimum of one hour of physical exercise every day, with access to exercise equipment, outdoors if possible.
- That Corrections offer refresher training in suicide prevention to ensure that all staff members have training that is up to date.
- Emphasize the importance of the role that all corrections employees play in inmates' lives.
- Have nurses complete a suicide risk assessment upon admission and at other high-risk times, such as following the death of someone close or the breakdown of a significant relationship.
- Emphasize the need for corrections workers to continue to consider the motivation behind inmate behaviour and to recommend treatment for inmates experiencing emotional distress whenever possible.
- Encourage the discipline panel to consider treatment as an option to punishment when the inmate's behaviour is the result of emotional distress.
- Revise policy to state that isolation is to be used only as a last resort in suicide prevention.
- Prepare a booklet explaining the role of volunteers for the peer support program.
- Increase phone and visiting privileges for suicidal inmates to allow them better access to family and community supports.
- Expose suicidal inmates who have to be segregated and closely observed to as much human contact as possible, and allow them as much freedom of movement as possible to minimize their sense of isolation.
- That Corrections provide all caseworkers with standardized guidelines to follow for inmates who have been recently treated for suicidal risk.
- Develop policy and procedures for staff to follow if they discover a suicide victim.
- Designate a representative from each centre to meet with the survivors of deceased inmates.

SUGGESTIONS

- Consider amending *The Correctional Services Act* to authorize the discipline panel to suspend a sanction pending completion of treatment or counseling.
- Offer bereaved family members or next of kin an opportunity to meet with inmate and staff friends of the deceased inmate.

COMMENDATIONS

- To the Regina Correctional Centre for providing suicide awareness training to its staff members.
- For developing a suicide prevention protocol to identify, assess and manage inmates who are suicidal.
- To the Saskatoon Correctional Centre for the implementation of innovative suicide prevention practices.
- To the Saskatoon Correctional Centre for employing a resident psychologist to provide ready access to professional advice about mental health issues to both staff members and inmates.
- For developing policy to officially recognize the need to help staff and inmates who are having trouble coping with a suicide.
- For taking the initiative to review coroner's recommendations for the past five years to ensure they were either implemented or sound reasons existed for their rejection.
- For appointing a senior staff member to monitor the implementation of all future coroner's recommendations.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

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Ombudsman
SASKATCHEWAN

Discipline

Introduction

To protect the safety of both inmates and staff in the province's correctional centres, the government has established rules of conduct in *The Correctional Services Administration, Discipline and Security Regulations*. These rules are supplemented by local rules established at each centre. The range of penalties for contravention of the rules is stated in the regulations, and the penalty chosen must be proportionate to the offence.

Inmates understand the need to establish order and are generally willing to abide by the rules. When inmates violate the rules and are punished, they are generally willing to accept the punishment if the process, verdict and sanction are fair and reasonable. Problems can arise when discipline is administered unfairly.

For a disciplinary decision to be fair it should, at a minimum, be authorized by the regulations and comply with the principles of natural justice. The importance of meeting this standard should not be underestimated. Inmates are entitled to appeal disciplinary decisions to the provincial court, and if the court concludes that the decision does not meet the above standard, it has the authority to overturn the decision.[1]

Madame Justice Arbour considered the equitable dispensation of justice within a prison to be essential to the integrity of the sentence imposed by the courts. She concluded that

> *"if illegalities, gross mismanagement or unfairness in the administration of a sentence renders the sentence harsher than that imposed by the court, a reduction of the period of imprisonment may be granted, such as to reflect the fact that the punishment administered was more punitive than the one intended."*[2]

The Disciplinary Process

In general, the disciplinary procedures in the province's four correctional centres are much the same. If an inmate violates a rule of conduct, staff members are to follow a policy of progressive discipline. More serious violations are referred to the centre's discipline panel, which is to consist of three correctional staff members, one who acts as the chairperson.

Discipline panel hearings are to be held within two days of the date of the offence. Inmates appearing before the panel have the right to be heard and present evidence, to have a lawyer there, to call witnesses and to question the charging officer.

If an inmate is found guilty, penalties can include one or more of the following: a reprimand, up to ten days cell confinement, loss of privileges for up to thirty days, and loss of up to 15 days remission.

Throughout the hearing, Panel members are to be guided in their decision-making by *The Correctional Services Administration, Discipline and Security Regulations* and the principles of administrative fairness. Inmates who do not believe the panel's decision is fair have the right to appeal the decision to the centre's director.

In the course of our review we discovered several issues that need to be addressed. We would like to note, however, that the good faith of the panel members is not in question.

[1] See for example: *Brian Morrison v. R.*, Provincial Court, Saskatoon, Oct. 12, 2000. (unreported)

[2] Louise Arbour, Commission of Inquiry into Certain Events at The Prison For Women in Kingston (Public Works and Government Services of Canada, 1996), 183, 225. In *McPherson v. R.* (NBQB S/M/207/95), the judge reduced the inmate's sentence by three months because his charter rights had been violated.

Procedural Issues

Inmate Access to the Act and Regulations

To ensure a fair hearing, it is essential that inmates understand the disciplinary process and are aware of their rights. One way to accomplish this is to provide inmates with ready access to *The Correctional Services Act and Regulations*, which explain disciplinary procedures and inmate rights.

Corrections has never disputed that inmates are entitled to the *Act* and *Regulations*, yet inmates often tell us that they are not given access to these documents, or that they are not readily available. Officials at each centre have assured us that requests for these documents will be granted. This may be an instance where practice and perception have yet to align.

RECOMMENDATION

- Ensure that all inmates have ready access to *The Correctional Services Act* and *Regulations* and are aware of the procedure for obtaining it.

Informal Resolution

Discipline panels are established by statute to determine guilt when a violation of the rules is alleged. In Saskatchewan, discipline is a formal process in which there is no provision for reparation other than for property damage up to $200. Several jurisdictions, including Saskatchewan, believe that the objective of rehabilitation is better served if the inmate is given the opportunity to deal with the violation informally by accepting responsibility for the offence and responding appropriately.

In British Columbia and Manitoba, and in the federal correctional system, the expectation that offences will be dealt with informally whenever appropriate is included in the governing regulations:

> *Where an officer has reasonable and probable grounds to believe an inmate has committed or is committing a breach of the rules or regulations of the correctional centre, the officer shall, (a) where circumstances allow, stop the breach and explain to the inmate the nature of the breach; and (b) where the person aggrieved by the alleged breach consents, allow the inmate to correct the breach, where possible, and make amends to the person aggrieved.*[3]

Although Saskatchewan Corrections encourages informal resolution of offences, the matter is not addressed statutorily or in policy. The matter is, however, addressed in the Corrections Worker Training Program and in the induction training following a correction worker's placement. Nevertheless, to minimize differences between theory and practice it would be helpful to clarify Corrections' expectations in policy.

SUGGESTION

- Clarify in policy the expectations for informal resolution of inmate discipline matters.

Staff Actions Must Comply with the Act and Regulations

Disciplinary decisions and actions must comply with the guidelines set out in *The Correctional Services Act* and the accompanying regulations.

Disciplinary offences are divided into Classes A, B, and C.

Class A offences are violations of the Criminal Code or offences for which an Act of Parliament or an Act of the Legislative Assembly prescribes a penalty.

Class B offences are defined in the regulations, and Class C offences, which are violations of institutional rules, are defined in local policy.

The regulations specify procedures for dealing with each type of offence and the penalties that can be imposed.

Class A offences are referred to the police, who decide whether formal charges are warranted.

[3] British Columbia, Correctional Centre Rules and Regulations, section 29; Manitoba, Correctional Services Regulations, section 8 (1); Canada, Corrections and Conditional Release Act, section 41

Class B offences are addressed internally by the discipline panel, which is to ensure the following:

+ The charge must relate to one of the specific offences listed in section 10 of the regulations;
+ Procedures subsequent to the charge must comply with section 11 of the regulations; and
+ The sanction must be an authorized sanction under section 23 of the regulations.

Although the above criteria are generally met, we did discover a few problems. For example, the regulations only authorize the panel to suspend one sanction, loss of remission, yet it was not uncommon for other sanctions to be suspended as well. This was rectified when we brought it to Corrections' attention.

The panel at one centre was prohibiting inmates' access to their cells during working hours as a sanction. This would only be an authorized sanction if access to one's cell were construed as a privilege, which is questionable. Although there may be some merit to this practice, if Corrections wants to impose this as a sanction it would be better if section 23 of the regulations were amended to include it rather then relying on a questionable interpretation of the existing sanctions.

Class C charges and sanctions have generally been handled by unit staff members. The regulations, however, authorize only the director to impose sanctions for Class C offences. This is admittedly cumbersome, but the regulations are clear. If this is unworkable, they ought be amended. Not only were staff imposing sanctions for Class C charges, but they were also imposing at least one sanction that is not authorized—cell confinement.

RECOMMENDATION

+ Ensure that the imposition of sanctions is in accordance with the regulations.

Time to Prepare for the Discipline Panel

Section 13 of the *Regulations* states that "the panel shall hold a hearing within 48 hours of the occurrence of the alleged contravention, Saturdays, Sundays and holidays excluded." Section 17 authorizes the discipline panel to adjourn and lists three authorized reasons for adjournment, which include giving the inmate adequate time to prepare a defence.

This regulation means that an inmate will have a *maximum* of two weekdays, excluding holidays, to prepare for the hearing but could end up with fewer days depending on when the panel convenes. If the inmate has not had time to prepare, the Regulations authorize an adjournment.

However, as noted above, inmates do not always have ready access to the Regulations or may not consult them. Consequently, they may not know about this right.

The discipline charge report lists two allowable reasons for an adjournment, but inexplicably omits the time to prepare a defence as a reason.

Under these circumstances, it is likely that some inmates will conclude that adjournments to prepare a defence are not authorized and therefore will not request one. There is no way to estimate how many inmates this would affect.

RECOMMENDATIONS

+ Include "adjournments at the request of the inmate" in the list of permitted reasons for adjournments on the discipline charge report.
+ Ensure that discipline panels advise inmates that if they are not ready to proceed, they have the right to request an adjournment.

Inmate Participation in Discipline Process

It is important that justice must not only be done, but also be seen to be done. For this reason, a decision should not only be fair in itself, but be made through a fair and open process. The withholding of information, although sometimes unavoidable, inevitably breeds suspicion and distrust.

[4] SaskatchewanJustice, Corrections Division Policy, Security 0024

Inmates are entitled to all of the information upon which the panel will be basing its decision, except where the disclosure of certain information would compromise the legitimate safety or security concerns of the institution. Divisional policy clearly states that the withholding of information should occur rarely and only when strictly necessary.

In all four centres, the proceedings of the discipline panel are tape recorded, with the exception of the panel's deliberations on guilt and sentencing. These are conducted by the panel without the inmate present and with the tape recorder turned off.

This practice was implemented in response to concerns that some inmates would become argumentative or abusive if they were present during the deliberations. Furthermore, staff members were not comfortable openly discussing guilt or severity of punishment in front of the inmate, as they felt their ongoing need for a working relationship with the accused would be compromised.

In most cases, deliberations on guilt and sentencing are best done without the inmate present. Nevertheless, inmates should be given an opportunity to make statements regarding their guilt and sentencing prior to these deliberations. This happens from time to time, but it is not a part of the formal procedure. Allowing inmates to make statements regarding guilt and sentencing may result in the discipline panel reaching a more informed decision, which in turn might be more palatable for the inmates.

Corrections' policy has recently been revised to require that the discipline panel record its discussions and reasons on the discipline charge report and provide a copy to the inmate.

This is important as these reasons, carefully and thoroughly stated, will inform the inmate of the panel's findings on credibility and the evidence and law relied on in reaching the decision. In short, they ensure the integrity of the process. Furthermore, the report of the panel's decision and reasons form the basis for the inmate's decision whether or not to appeal.

Despite this, the charge report allows only two lines for the recording of reasons. In some cases, this is all the inmate gets; in others, the chairperson will explain the reasons in detail on the tape.

An inmate is entitled to meaningful reasons. These should be provided in writing, and the report form should be revised to provide adequate space to accommodate this.

RECOMMENDATIONS

+ Encourage inmates to make representations regarding guilt and sentencing.
+ Document the reasons for the discipline panel's decision in detail, including in writing on the charge report, and provide a copy of this information to the inmate.

The Right to Counsel

Section 15(e) of the regulations entitles an inmate charged with a disciplinary offence "to retain counsel within a reasonable time and be represented by counsel at the hearing."

Corrections has interpreted this to mean representation by a lawyer only. This is a concern since it effectively prevents inmates from securing representation: the vast majority of inmates cannot afford to hire a lawyer, and representation at disciplinary hearings is not within the range of services available through Legal Aid.

The matters that are considered in disciplinary proceedings are not trivial, and the possible consequences involve a loss of liberty through the imposition of cell confinement or the loss of earned remission. While legal assistance is available through Legal Aid for matters where the accused faces a real likelihood of imprisonment, practical assistance is not available for those already imprisoned who face the possibility of serving their sentence under more restricted conditions or who might serve a longer portion of the sentence the court imposed.

Case law indicates that individuals involved in proceedings may be entitled to counsel depending on the nature of the decision, the severity of possible consequences, and his or her capacity to undertake and understand the proceedings.

This is not something that can be measured with precision, but it can certainly be argued that the nature of disciplinary proceedings, the potential consequence of lost liberty, and the lack of sophistication of many inmates would meet the legal test.

There is no question that a fair process affords people who may be adversely affected by a decision a reasonable opportunity to respond to the allegations against them. This clearly suggests that, when it is appropriate, affected individuals are entitled to competent representation.

Ideally, inmates would be provided with legal counsel free of charge. However, while one can advance an argument that inmates are entitled to this by right and in law, it is not legally clear that this is the case. We will leave that question to the courts, to be determined in an appropriate case.

It would seem that inmates facing discipline charges should be given an opportunity to be represented, either by counsel or by an agent, so that they have the best possible opportunity to consider and respond to allegations and to put their cases forward.

We are not convinced that Corrections' narrow interpretation of the word "counsel" is necessary. The word can also be defined more broadly to allow inmates an opportunity to consult with and be represented by an agent. An agent can be any person who they believe can competently counsel them with respect to the charge and their representation.

Various non-government agencies are capable and well positioned to provide such services. At a minimum, inmates ought to be able to secure the assistance of fellow inmates, who may be more knowledgeable and more articulate, to counsel them, help with preparations, and represent them at disciplinary proceedings.

There is some concern that if inmates were allowed to retain the services of people who are not lawyers as their counsel, this right would be abused by excessive requests for adjournments or by selecting agents who might tie up the disciplinary process.

While these may be legitimate concerns, they can be addressed. For example, the regulations for Manitoba state that an inmate may be represented by a person who "in the opinion of the chair of the discipline board is reasonably available and would not present a security concern." Similar regulations in Saskatchewan would alleviate many concerns and ensure a process that is both fair and practical.

The discipline charge report has a section that is to be checked off or initialled to indicate that the inmate has been advised of his or her right to be represented by a lawyer. As noted above, the regulations speak of "counsel" and the form should be corrected to reflect this.

We have also noted in the course of our observation of discipline panel hearings and our examination of discipline charge reports that the question is not always asked, and that the box is not always checked. One centre was using an older version of the form that does not even include the question.

RECOMMENDATIONS

+ Afford inmates appearing before discipline panels the opportunity to be represented by an agent, including an agent chosen from among other inmates.
+ Explore the willingness of appropriate non-government agencies to provide competent representation for inmates appearing before discipline panels.
+ Amend the regulations as necessary to ensure orderly and timely proceedings and to accommodate representation by an agent.

The Composition of the Discipline Panel and the Perception of Bias

A strong concern raised by inmates and agencies that work with inmates was the perception of bias in discipline panel decisions. Inmates feel that they are facing an institutional wall.

This perception is understandable when one considers the composition of the panel: usually a deputy director or assistant deputy director sits as the chair, accompanied by two other correctional centre staff members.

The regulations pertaining to discipline panels in Saskatchewan require the director in each centre to appoint three employees to sit as panel members. No more direction is given; consequently, the positions held by the members of the discipline panel vary from centre to centre.

Although none of the members of the panel will have had any involvement with the incident leading to the charge under consideration, they retain, especially in the eyes of inmates, an identity as correctional staff.

Inmates know that staff members and management have to work closely together, and believe that it would be difficult for a member of the panel to appear to accept the word of an inmate over the word of a co-worker. The unfortunate, although not surprising, conclusion of inmates is that panel members rarely challenge charges laid by fellow staff members to avoid difficulties with co-workers.

The perception of bias will persist as long as all of the panel members are also Corrections staff.

An obvious solution, which by all accounts is not popular with Corrections, is to create a discipline panel composed of an objective outside adjudicator or adjudicators. This would address the problem of bias, but Corrections is concerned that if the outside adjudicator did not have experience working in a correctional institution, he or she might have difficulty understanding institutional dynamics.

We are not convinced that this concern is justified. Indeed, it is often suggested that adjudicators should not have prior experience in the environment under review, to help ensure an objective process that is not influenced by preconceived notions or past incidents. Safety and security concerns will receive appropriate consideration when presented to the adjudicator as part of the hearing process.

If an outside discipline panel is not a viable option, there are less attractive but still effective alternatives. One option would be to include at least one outside person among the members of the panel and to give that person the authority to make the final decision in the event that the members cannot agree.

Another option, less attractive but still an improvement on the current situation would be to select at least some adjudicators from Corrections staff who do not work in any of the correctional centres. These adjudicators would not have daily contact with centre staff and would not, therefore, be thought to have the same degree of concern about staff acceptance of their decisions. This would reduce but not eliminate the perception of bias that haunts the current process.

Another concern regarding the makeup of the discipline panels is that in some centres, the designated staff members are delegating their responsibilities to other staff. The regulations do not permit this type of subdelegation; only the director has the authority to choose discipline panel members.

This is not a trivial issue. An improperly composed discipline panel has no legal jurisdiction to adjudicate charges. If the matter were to be appealed in a court, the panel's decision would be overturned, which would very likely mean that the charges against the inmate would have to be dismissed.

RECOMMENDATIONS

+ Restructure the membership of discipline panels so that they are entirely or at least partly composed of members who are not employees of Corrections, or at least not Correctional Centre staff members.
+ Ensure that subdelegation of discipline panel membership ceases.

The Decision-Making Authority of the Discipline Panel

Section 7 of the *Regulations* stipulates that the chief executive officer is to appoint three employees to the discipline panel. The regulations, however, do not specify how the three employees are to arrive at a decision. Can the chair overrule the other two members? Can the other two members overrule the chair?

At the men's centres in Regina, Saskatoon, and Prince Albert, the chair has the final say, although consensus is preferred. At Pine Grove, the preference is for consensus, but if there isn't one, the majority rules.

The regulations would appear to anticipate more than an observer's role for two of the three members of the panel. Therefore, in a situation where there is not agreement among members, one might expect that the panel would arrive at decisions through a majority vote. For this reason, the current practice in the men's centres is questionable.

RECOMMENDATION
+ Clarify the decision-making process to be followed by the discipline panel members in the regulations.

Training for Discipline Panel Members

The requirements for the completion of the Corrections Worker Program include studying the disciplinary process and the rights of inmates. This is covered again in the induction training received by all new employees. Staff members who are designated to sit on a discipline panel are therefore familiar with the applicable regulations and other relevant laws.

In recent years, Corrections provided all Deputy Directors and discipline panel chairs a training session to ensure their understanding of *The Correctional Services Act* and *Regulations* as well as procedures and protocols for conducting a discipline hearing. This is valuable training that should be offered on a regular basis.

One shortcoming in the training, however, is that it does not encompass in detail the competencies required of an adjudicator with the authority to impose sanctions that restrict individual liberties. An adjudicator with this authority should be knowledgeable about matters such as procedural requirements under the rule of law, formal decision-making, rational argument, the interpretation of evidence, credibility of witnesses, interrogation methods and inmate rights.

In 2000, the Executive Director of Corrections established a committee composed of all correctional centre Deputy Directors of Security and Operations. Among other things, this committee is currently working on a standardized training package for all Assistant Deputy Directors of Security and those who act in that capacity. A component of the training will be discipline panel procedures, protocols and relevant legislation. This committee may be well placed, therefore, to consider an expanded training program including the competencies referred to above.

Appropriate training and a reference manual that addresses some or all of the above-mentioned areas of expertise would not only benefit the panel members, but also encourage fairness in the disciplinary process.

RECOMMENDATION
+ Ensure that all panel members are appropriately trained and qualified to adjudicate matters involving loss of liberty

SUGGESTION
+ Consider creating a reference manual for discipline panel members.

Specific Charges and Clear Reports

When an inmate is charged with an offence, the charge must specifically refer to one of those listed in the regulations, and it must be the appropriate charge.

For example, when a urinalysis comes back positive, some centres charge the inmate with "being in a state of impairment," while others charge the inmate with "possession of contraband." Since a positive urinalysis is not evidence of "impairment" and does not necessarily involve the "possession of contraband," neither one is an appropriate charge.

Not only must the charge be correct, but the facts provided to the inmate, usually on the charge sheet, must include all of the relevant information, including who, what, when, where, why and how.

In the course of the review, we examined discipline charge reports from all four centres. Most of them were in order. Some, however, were poorly worded or too brief. It is essential that the

charge reports be thorough and clear. Where shortcomings in discipline charge reports are detected by the discipline panel, the charge is amended or dismissed.

The Director reviews all discipline charge reports after the panel's decision. He or she, too, will take appropriate action when flaws are detected and will counsel staff regarding proper charging and discipline procedures. Nevertheless, we have occasionally reviewed inappropriate and incomplete charge reports that resulted in convictions.

This is not simply a technical or procedural concern; there can be substantial consequences. Not only does the discipline panel have to rely on the information provided in the reports, but the inmate also has to be able to respond to the information. Incomplete or unclear information compromises both the ability of the panel to decide fairly and the inmate's right to know the case against him or her. Ultimately, an inmate may be wrongly convicted in fact or in law.

RECOMMENDATION

+ Ensure that discipline panel members are aware of their responsibility to verify that charges are specific and appropriate and that inmates are provided with full and clear information that identifies the specific incident and charge prior to the discipline panel hearing.

The Right to a Full and Fair Hearing

Section 14 of the regulations requires the discipline panel to "provide the inmate with a full and fair hearing" and to "conduct a thorough and objective inquiry into all matters relating to the alleged contravention."

A "full and fair" hearing and "thorough and objective" inquiry are essential to minimize the risk of convicting an innocent inmate. A wrongful conviction has the potential to severely compromise efforts to rehabilitate the accused inmate and will erode inmates' faith in the discipline system.

What is a "full and fair hearing"? What is a "thorough and objective" inquiry? The answer will depend on the case at hand. Many discipline charges are straightforward and require very little in the way of an inquiry. For example, if two staff members observe an inmate smoking and the cigarette butt is seized as evidence, little further inquiry will be necessary.

In other instances, guilt may not be so easy to determine. Evidence may be contradictory, and witnesses may be unreliable. In these cases, more investigating may be required, more witnesses may be called, or the panel may have to adjourn to collect more information.

Inmates at all four centres told us that they do not believe they receive a full and fair hearing or that there is a thorough and objective inquiry. One might argue that this should come as no surprise, as inmates are not likely to sing the praises of their accusers. Even so, the fact that inmates consistently complain about the integrity of the disciplinary system is a problem. This system cannot work properly if inmates do not have faith in its fairness.

Our own observations of discipline panel hearings revealed nothing substantially out of order, but our presence may have influenced the proceedings, and the sample was small. Even if all of the panel members conduct themselves in good faith (a reasonable assumption), the fact remains that inmates report little confidence in the system.

It may simply be the case that general inmate acceptance of disciplinary procedures will be extremely difficult to obtain. Nevertheless, it is a worthwhile objective. The provision of counsel or agents and an external presence on the panel, as described earlier, would secure at least some degree of acceptance and confidence.

RECOMMENDATIONS

+ Clarify in policy the expectations and standards for a full and fair hearing and thorough and objective inquiry.
+ Examine the current discipline panel procedures with the goal of increasing inmate confidence in the discipline process.

The Standard for Decision-Making

The standard for decision-making by discipline panels in Saskatchewan is not addressed in *The*

Correctional Services Act or in policy. The unofficial standard is a "balance of probabilities." In the federal correctional system, the official standard is "beyond a reasonable doubt."[5] The standard should reflect the seriousness of the offence and the potential sanction.

Sanctions for more serious charges in Saskatchewan include cell confinement and loss of earned remission. Since both sanctions affect an inmate's charter right to liberty, the standard for the discipline panel should be high.

RECOMMENDATION
+ Adopt "beyond a reasonable doubt" in policy as the standard for discipline panel decisions.

Appeals

The Director's Response to Appeals

Section 26 of the regulations entitles an inmate found guilty of a disciplinary offence to appeal his or her conviction to the director of the correctional centre. Section 27 places responsibility for the appeal response on the director. The director is given no authority to delegate this responsibility, yet in one centre, the deputy director was routinely responding to appeals. Strictly speaking, none of these appeals were valid. When we drew this matter to the centre's attention, the practice was discontinued.

It would be acceptable for someone other than the director to investigate the appeal and report to the director, as long as that person has not been involved in any way in the offence or in the disciplinary hearing and as long as the Director personally reviewed that report and rendered his or her own decision.

Regardless of who conducts the investigation, it should include a review of all relevant documents and interviews with the inmate, staff and others who may have relevant information. The director is, however, required to be ultimately responsible for the appeal, and it is essential that he or she thoughtfully and thoroughly consider the results of the investigation and sign the appeal response.

Appeal Responses

In responding to an appeal of a discipline charge, it is necessary in the interests of fairness to provide full reasons for the decision.

If the appeal is denied, the inmate needs to know that the issues have been considered and that the reasons for the denial are sound. If the inmate's appeal is granted, the discipline panel needs to know the reasons for future reference.

For the most part, the appeal responses from the directors were acceptable. Some directors consistently responded with full reasons, but others were sometimes too brief.

It is important that full reasons are given to inmates and discipline panels not only in the interests of fairness, but also because of the principle that justice must not only be done but be seen to be done.

The timeliness of responses to appeals varied between centres. The regulations, section 27 (3)(a)(b), require a response within seven days of the receipt of the appeal, unless the inmate is confined as a result of the subject of the appeal, in which case a response is required in two days, excluding Saturday, Sunday, and holidays. If the director cannot meet the response time, he or she is to advise the inmate in writing of the reasons. At the present time, there are no consequences if the appeal is late.

Not responding to appeals within the statutory time limits is blatantly unfair. It not only diminishes the integrity of the disciplinary process, but also in many cases renders the appeal response irrelevant as the sanction has already been served by the time a response is received. One solution would be to suspend disciplinary sanctions that are under appeal. This would not only make for more meaningful appeals, it would encourage timely responses.

SUGGESTION
+ Consider suspending disciplinary sanctions that are under appeal.

[5] Correctional Service of Canada, Commissioner's Directive 580: Discipline of Inmates, section 39.

RECOMMENDATIONS
+ Emphasize the need for directors to provide inmates with full reasons for appeal decisions.
+ Take steps to ensure that appeal responses meet time requirements.

Sanctions

Voluntary Sanctions

One centre has formalized a procedure to provide inmates with the option of voluntarily accepting a sanction for a disciplinary offence rather than automatically proceeding to a hearing before the discipline panel.

Correctional Services Canada also uses voluntary sanctions as an alternative to formal discipline charges. For discipline issues that are straightforward, both staff and inmates benefit from a procedure that is simple and direct.

This practice appears to have merit, provided the voluntary sanction is not coerced. However, there is a hitch: inmates claim that it is always best to take the voluntary sanction, as there is little chance that the discipline panel will render a not-guilty verdict, and the panel's sanction will without doubt be harsher than the voluntary one. This problem could be addressed by making the voluntary sanction the same as that most likely to be imposed by a discipline panel.

To avoid the accusation that some innocent inmates are serving voluntary sanctions because they have no faith in the discipline panel or because they cannot be bothered with a process they consider unfair, one modification may be in order.

Presently, the inmate signs a form agreeing to the sanction. The way the form is worded, the inmate's signature is not an admission of guilt. It would be better if the form were reworded to include an admission of guilt.

RECOMMENDATION
+ Amend the voluntary sanction form presently in use to include an admission of guilt.

SUGGESTION
+ Promote the use of voluntary sanctions in all centres provided the sanctions are equivalent to what would most likely be received if a discipline panel imposed it.

Group Sanctions

The practice of imposing sanctions on an entire unit continues to be controversial. It is unfair to innocent inmates. Also, unless the director imposes the sanction, it is not authorized by the regulations.

At a meeting of directors in November 1999, in response to the Ombudsman's concerns about this practice, the directors agreed to stop imposing group sanctions, with the understanding that they could still be used if they were necessary for security purposes. An example of the latter is locking up an entire unit after receiving information that there was a weapon on that unit.

However, this agreement was either not properly understood or not interpreted consistently. Our office still receives and reviews complaints involving the imposition of what we conclude are group sanctions. In these cases, Corrections defines the action differently. The matter remains unresolved.

Group sanctions are an easy response to a unit problem when the identity of the inmates who are causing the problem is not clear. Peer pressure can be an effective control on behaviour. Even so, one might question the effect that this has on inmates who believe staff members are punishing them for the offences of others, or what the repercussions are for the inmate or inmates causing the problem. The need to enforce order does not justify punishing innocent inmates.

RECOMMENDATION
+ Cease imposing group sanctions.

Earned Remission

Under Saskatchewan's *Correctional Services Act*, section 30 (1), "Every inmate shall be credited with remission of the inmate's sentence as provided in *The Prisons and Reformatories Act* (Canada)."

The Prisons and Reformatories Act entitles inmates to earn a reduction of up to one third of their sentence provided they obey the rules and participate in programming designed to promote inmates' rehabilitation and reintegration.

The Regulations authorize discipline panels to cancel, or suspend the cancellation of, earned remission credits. The suspension means that if the inmate does not commit another similar offence during the suspension period, the earned remission is not cancelled, but if the inmate does commit a similar offence, it is.

This practice has been criticized in other jurisdictions. In Australia, Death in Custody Watch spokesman Kath Mallott questioned the wisdom of authorizing staff members who are not trained in the law to effectively increase the length of time an inmate serves.[6]

In Saskatchewan, the discipline panels in the four correctional centres impose loss of remission or suspend the loss of remission in a limited number of cases. The vast majority of inmates earn the maximum remission credits.

In fact, it could be argued that the idea that inmates "earn" remission credits is misleading. Programming for inmates is limited, as are work assignments. Consequently, remission is not so much something that inmates earn but rather something they can lose. This is especially relevant to the argument that a cancellation of remission is effectively an increase in the length of time that an inmate serves.

In the course of the review, several staff members expressed the view that the threat of loss of remission credits was an effective deterrent against violations of centre rules. The deterrent effect, however, is not something that has ever been measured.

Some inmates have expressed a preference for cell confinement over loss of remission, which lends support to this argument, but this is anecdotal evidence and therefore not very convincing. It may be that other sanctions are just as effective.

Although the cancellation of remission is allowed as a sanction in the Regulations, the standard necessary for a decision to deprive an inmate of his or her charter right to liberty (by increasing the amount of the sentence that is served) is arguably higher than can be met by discipline panel members without formal legal training. The potential for violation of Charter rights is a serious matter, and we believe that continued use of this sanction should be re-examined.

Another issue is the length of the suspension. Some centres place a time limit on the suspension, while others leave the suspension in place until the end of the inmate's sentence. The latter practice could result in inconsistencies in the treatment of inmates who commit the same offence and have the same indefinite suspension imposed: inmates who are serving different lengths of sentence would not be penalized with the same severity because the suspension would last for different lengths of time.

Since one of the primary objectives of the sanction is to promote well-disciplined behaviour, there may be some merit in limiting the time during which the suspension is in place. When determining the length of the suspension, there needs to be a balance between rewards that are too easy and rewards that are too difficult or too far away.

The federal system allows suspensions of up to 21 days for minor offences and 90 days for major offences.[7]

SUGGESTION

+ Set limits on the period of time remission can be suspended, taking into account average and maximum sentences for provincially sentenced inmates.

[6] Natalie O'Brien, "Justice of Jail Hearings Questioned" The Australian (December 1, 1999)

RECOMMENDATION

+ Discontinue the use of cancellation of earned remission as a sanction for disciplinary offences or ensure some or all of the members of the discipline panel who are not correctional centre employees have appropriate legal training.

Aboriginal Inmates

In recent years, the Canadian judicial system has taken steps to recognize the unique circumstances of aboriginal people and the need for alternative sentencing practices to address their special needs.

The correctional system in Saskatchewan has implemented programs to try to better meet the needs of aboriginal inmates. To date, however, this recognition is not reflected in the disciplinary process.

This is unfortunate because it is an integral part of Corrections' rehabilitative efforts. It may turn out that attempts to accommodate aboriginal inmates are being hindered by a disciplinary process that, on examination, proves to be ineffective or even counterproductive for aboriginal inmates.

RECOMMENDATION

+ Examine the disciplinary process and consult with aboriginal groups to determine if changes are necessary to meet the special needs of aboriginal inmates.

[7] *Corrections and Conditional Release Regulations*, section 41.

Discipline

RECOMMENDATIONS

- Ensure that all inmates have ready access to *The Correctional Services Act* and Regulations and are aware of the procedure for obtaining it.
- Ensure that the imposition of sanctions is in accordance with the regulations.
- Include "adjournments at the request of the inmate" in the list of permitted reasons for adjournments on the discipline charge report.
- Ensure that discipline panels advise inmates that if they are not ready to proceed, they have the right to request an adjournment.
- Encourage inmates to make representations regarding guilt and sentencing.
- Document the reasons for the discipline panel's decision in detail, including in writing on the charge report, and provide a copy of this information to the inmate.
- Afford inmates appearing before discipline panels the opportunity to be represented by an agent, including an agent chosen from among other inmates.
- Explore the willingness of appropriate non-government agencies to provide competent representation for inmates appearing before discipline panels.
- Amend the regulations as necessary to ensure orderly and timely proceedings and to accommodate representation by an agent.
- Restructure the membership of discipline panels so that they are entirely or at least partly composed of members who are not employees of Corrections, or at least not Correctional Centre staff members.
- Ensure that subdelegation of discipline panel membership ceases.
- Clarify the decision-making process to be followed by the discipline panel members in the regulations.
- Ensure that all panel members are appropriately trained and qualified to adjudicate matters involving loss of liberty.
- Ensure that discipline panel members are aware of their responsibility to verify that charges are specific and appropriate and that inmates are provided with full and clear information that identifies the specific incident and charge prior to the discipline panel hearing.
- Clarify in policy the expectations and standards for a full and fair hearing and thorough and objective inquiry.
- Examine the current discipline panel procedures with the goal of increasing inmate confidence in the discipline process.
- Adopt "beyond a reasonable doubt" in policy as the standard for discipline panel decisions.
- Emphasize the need for directors to provide inmates with full reasons for appeal decisions.
- Take steps to ensure that appeal responses meet time requirements.
- Amend the voluntary sanction form presently in use to include an admission of guilt.
- Cease imposing group sanctions.
- Discontinue the use of cancellation of earned remission as a sanction for disciplinary offences unless some or all of the members of the panel who are not correctional centre employees have appropriate legal training.
- Examine the disciplinary process and consult with aboriginal groups to determine if changes are necessary to meet the special needs of aboriginal inmates.

SUGGESTIONS

- Promote the use of voluntary sanctions in all centres provided the sanctions are equivalent to what would most likely be received if a discipline panel imposed it.
- Consider creating a reference manual for discipline panel members.
- Clarify in policy the expectations for informal resolution of inmate discipline matters.
- Consider suspending disciplinary sanctions that are under appeal.
- Set limits on the period of time remission can be suspended, taking into account average and maximum sentences for provincially sentenced inmates.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

9

Segregation

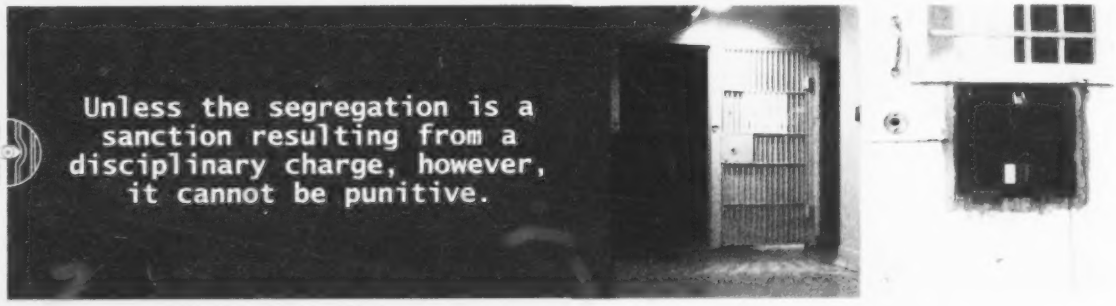
Ombudsman
SASKATCHEWAN

Segregation

Introduction

The forced isolation of individuals from their social and physical supports, and human contact, is a profound from of deprivation. It can only heighten feelings of desperation and anxiety in situations of despair and high need.[1]

For the purposes of this report, the term "segregation" is synonymous with "solitary confinement" and "forced isolation."



Some correctional centres in Saskatchewan have different levels of segregation depending on the behaviour of the inmate. In this report, "segregation" applies primarily to the practice of confining an inmate to a cell in a secure unit and allowing only one half to one hour per day outside the cell for activities such as exercising, making phone calls, showering, and cell cleaning.

Some form of segregation is likely to be a part of correctional practice for many more years, as it serves several purposes for which other alternatives have yet to be found. For example, some inmates present a significant threat to other inmates and staff members, and if they were to escape, the public. Others require protection from fellow inmates or themselves.

All of these inmates need to be separated from the general inmate population and closely supervised. Unless the segregation is a sanction resulting from a disciplinary charge, however, it cannot be punitive. Furthermore, the decision to segregate—whatever the reason—must always be made in accordance with the principles of fundamental justice.

The Solicitor General of Canada, in a 1998 review of administrative (non-disciplinary) segregation, stated the following:

Since administrative segregation is not a punitive process, segregated inmates must be given the same rights, privileges and conditions of confinement as the general inmate population except for those that can only be enjoyed in association with other inmates, and that cannot reasonably be provided because of the limitations specific to the administrative segregation area, or because of security requirements.[2]

Whether segregation is a necessity in correctional centres is not the issue under discussion; instead, we are interested in whether the practice of segregation as it is currently carried out in Saskatchewan's correctional centres conforms to Canadian and international laws and standards. In other words, our focus is on best practice.

Our primary point of comparison is the Correctional Service of Canada, whose policy on segregation closely aligns with current research and correctional philosophy.

[1] Louise Arbour, *Commission of Inquiry into Certain Events at The Prison For Women in Kingston* (Public Works and Government Services of Canada, 1996), 11.

This report addresses thirteen aspects of correctional services that affect inmates and staff. Several of these areas are relevant to the segregation process, and there will be some overlap. With this in mind, the reader should note that there are some instances where a concern is addressed briefly in this chapter, but will be dealt with in more detail when it is the subject of its own section.

The review of Correction's use of segregation as a method for managing inmates who present a safety risk has revealed many good things. Saskatchewan Corrections has made a conscious effort to ensure respect for inmates' retained rights and compliance with the duty to act fairly. Even so, there are still issues that need to be addressed. Those issues are the focus of this review of segregation.

Placement in Segregation

Some inmates, for a variety of reasons, do not function well in the conventional corrections environment. In those cases, when proper and appropriate, Corrections staff work with the inmates in their living units to avoid their placement in segregation.

Inmates who pose a risk to themselves or others, however, can be placed in segregation without this type of staff intervention being attempted. Either way, segregation is, by policy, to be used as a last resort.

Inmates can be placed in segregation for three reasons: as punishment (disciplinary segregation); to protect an inmate who would be at risk in the general population (voluntary segregation); and to protect the safety of staff members and other inmates (involuntary segregation). Voluntary and involuntary segregation are commonly referred to as administrative or non-disciplinary segregation.

Inmates housed in segregation are more closely supervised and have fewer privileges than inmates in the general population.[3] The following discussion of procedures that apply when placing an inmate in segregation applies to involuntary segregation.

The initial decision to place an inmate in segregation is usually made by an Assistant Deputy Director (ADD) and, in the men's centres, the Unit Team Leader. When an inmate is placed in segregation, he or she is supposed to be advised of the reasons either verbally or in writing.

At Pine Grove, an ADD makes the decision to segregate an inmate or to return her to the general population. It should also be noted that high-risk inmates at Pine Grove are not necessarily placed in segregation, as they would be in the men's centres.

As soon as possible after an inmate is placed in segregation, the placement is to be reviewed by the correctional centre's security review panel to determine whether or not it is warranted. If the panel concludes that it is not, the inmate is returned to the general population. If the panel concludes that it is warranted, it periodically reviews the situation.

While the inmate is segregated, staff members are supposed to work with the inmate to prepare a plan to reintegrate him or her back into the general population. The inmate is not to be returned to the general population until the panel is convinced that he or she no longer presents an undue risk to the safety of staff, other inmates or him- or herself.

A segregated inmate has the right to appeal the security review panel's decisions to the correctional centre's director, who has the authority to overturn the panel's decisions.

[2] Administrative Segregation," *Corrections and Conditional Release Act Review* (CCRA) 5 Year Review Reports (Solicitor General of Canada: February 1998), 2.

[3] The correctional centres refer to what is called the "segregation unit" in this report as the "secure unit." We believe the term "segregation unit," or simply "segregation," more accurately captures the intent of placement in this unit.

Issues Regarding Procedure

Section 7 of the *Canadian Charter of Rights and Freedoms* states that no one is to be deprived of liberty "except in accordance with the principles of fundamental justice."

Since placement in segregation is clearly a deprivation of liberty, it must be imposed in accordance with the principles of fundamental justice. This means that inmates have the right to an opportunity to be heard, to know the case against them, and to an impartial decision maker.[4] Furthermore, fair procedure requires the decision maker to provide the inmate with reasons for the decision.

Initial Placement in Segregation

Strictly speaking, an inmate is entitled to know the case against him or her before the decision to segregate is made and to have an opportunity to challenge the evidence.

However, this would not be prudent in most cases, since the inmate is being segregated because he or she is believed to present a risk to other inmates' or staff members' safety and must be moved immediately.

When an inmate is placed in segregation, policy provides that he or she is to receive written documentation stating the reasons for the move.

All four correctional centres normally do explain to inmates the reasons for the move to segregation, but we get repeated complaints that the information given is too vague to be of much use. For example, we receive complaints that the reason provided is "muscling", without any further explanation as to when, who, how or where.

One explanation is that staff members assume that the inmate knows full well the reasons for the placement. That is a dangerous assumption because it is only correct if the inmate is guilty, and it is inevitable that the assumption of guilt will be wrong in some cases.

Another explanation is that staff members believe that in many cases, the provision of those details would jeopardize the security of the institution or of individuals within it. If providing details of the reasons would compromise security or endanger other inmates or staff, the accused inmate should at a minimum be provided with sufficient information to challenge the case against him or her.

Although inmates do not get an opportunity to challenge the evidence when they are initially placed in segregation, they do have a right to appeal the placement. However, they cannot submit a meaningful appeal if they do not have sufficient information about their placement.

RECOMMENDATION

+ Ensure that inmates are provided meaningful and detailed reasons for placement in segregation.

Security Review Panel and the Provision of Reasons

While a segregated inmate is provided at least general information about the reasons for his or her placement in segregation, none of the security review panels provides segregated inmates with the evidence they will consider in determining an appropriate security rating.

To accommodate the inmate's right to be heard, he or she ought to be supplied with all of the evidence before the panel. In supplying this evidence, some allowances will have to be made for security concerns, but these should be addressed without compromising the inmate's rights any more than is absolutely necessary.

[4] "Fundamental Justice" is often construed as being synonymous with "natural justice". This was addressed in Reference regarding Section 94(2) of *The Motor Vehicle Act* (1985). With reference to this case, the Charter of Rights Annotated stated, "The principles of fundamental justice are to be found in the basic tenets and principles not only of our judicial process, but also the other components of our legal system. While many of the principles of fundamental justice are procedural in nature, they are not limited solely to procedural guarantees." (Charter of Rights Annotated 7-11) Thus, when a charter right is limited, inmates are entitled to a higher standard of justice than that afforded by natural justice alone.

Not only are inmates entitled to know the evidence that will be considered, they are also entitled to challenge the evidence directly or indirectly.

Despite this, none of the centres provide inmates an opportunity to respond to the information the security review panel will be using to make its decision or to present their case and argument to the panel. This is clearly a violation of the inmates' rights.

As discussed in the previous section, when an inmate is placed in segregation, provincial policy stipulates that he or she is to be provided with reasons for the move. Later, if the security review panel decides that an inmate's segregation should be continued, the inmate is to be supplied with reasons for this decision as well.

The provision of reasons is a necessary part of a fair process and a fair decision. Reasons should be adequately detailed to allow the inmate to determine whether his or her position was heard and understood, whether the facts determined are accurate and whether an appeal is appropriate.

RECOMMENDATIONS

+ Provide inmates with the evidence that will be considered by the security review panel.
+ Give inmates sufficient time to consider the evidence that will be considered by the security review panel.
+ Allow inmates to address the security review panel in person or in writing prior to their deliberations.

Access to Legal Counsel

As is discussed in the section on discipline, inmates are entitled to a fair hearing regarding decisions that may adversely affect them. In some cases, a fair hearing will require a right to competent counsel and representation.[5]

As is the case with discipline panel decisions, decisions made by the security review panel are often very serious and can affect the inmates' freedom. Consequently, it is our view that inmates who are the subject of security review panel hearings are entitled to some form of meaningful representation.

decisions made by the security review panel are often very serious and can affect the inmates' freedom.

We are aware that Corrections' practice is not significantly different than that of any other province in this regard. Nevertheless, for the reasons provided in the section on discipline, it is our view that, ideally, inmates should be provided with legal counsel free of charge.

At a minimum, inmates should be provided with competent representation. There are various non-governmental agencies that are capable and able to provide such counsel. Inmates could also be allowed to secure the assistance of other inmates who they believe are competent to represent them.

[5] In Howard v. Stony Mountain Institution, [1984] 2 F.C. 642 (FCA), Mr. Justice MacGuigan provided six criteria that determine the right to representation by counsel: (1) The seriousness of the charge and the potential penalty; (2) Whether any points of law are likely to arise; (3) The capacity of a particular prisoner to represent his own case; (4) Procedural difficulties; (5) The need for reasonable speed in adjudication; and (6) The need for fairness as between prisoners and as between prisoners and prison officers.

RECOMMENDATIONS

+ Allow inmates appearing before a security review panel the opportunity to be represented by counsel or an agent, including an agent chosen from among other inmates.
+ Explore with appropriate non-government agencies their willingness to provide competent representation for inmates appearing before security review panels.

Composition of the Security Review Panel and Concerns about Impartiality

In all four correctional centres, the security review panel is made up of correctional centre staff.

It could be argued that these panel members have a vested interest in the decision of the panel and cannot therefore claim impartiality. For example, a panel member may be influenced by his or her personal experience with the inmate outside of the security review process or fear for his or her own safety if an inmate with a violent record is released into the general population.

To address this issue in the federal system, Madame Justice Arbour recommended that an independent adjudicator be requested to review and confirm decisions to segregate within 5 days.[6]

Arbour's recommendation should be applied to Saskatchewan's provincial correctional centres as well, not because staff members do not discharge their duties professionally, but because the appearance of prejudice and the risk of bias compromise the inmates' right to procedural fairness.

An outside adjudicator would address the issue of bias and, if carefully selected, could ensure that the inmates' right to procedural fairness is respected.

RECOMMENDATION

+ Appoint an independent, outside adjudicator to review decisions regarding segregation and continued segregation.

[6] Arbour 256.

The Decision to Continue Segregation

In the documents we reviewed, the reasons the security review panel provided for a decision to continue segregation were often either omitted or vague. Because of this, we do not have enough information to comment on the actual reasons for continuing segregation.

There are, however, criteria that these reasons should meet, including Corrections' guiding principle of using the least restrictive measures necessary and charter rights requiring that an inmate be kept in segregation no longer than is strictly necessary.

When deciding whether to continue an inmate's segregation, the panel should consider whether the reasons for continuing segregation would be sufficient for an initial placement. If they are not, the inmate should be placed in a unit that matches the inmate's security rating. Either way, the inmate is entitled to full reasons for the continued segregation or alternate placement.

Reasons for the security review panels' decisions should be carefully and thoroughly stated and indicate the information, law and policy that were applied in reaching the decision. These reasons, of course, should be provided to the inmate and should be sufficient to enable him or her to understand the decision and make a reasoned decision whether or not to appeal. While Corrections policy requires this, it has been our experience that reasons frequently fall short of this mark.

Security review panel decisions should also be timely. Panels generally convene weekly, but they do not necessarily review each segregated inmate's security rating at each meeting.

In many cases, a segregated inmate's situation is reviewed only every two or three weeks, and inmates are not usually moved back into the general population between reviews. This means that some inmates will remain in segregation for longer than is necessary.

For example, even if an inmate's behaviour is exemplary following a decision to continue segregation, the inmate will usually have to wait until the next security review panel hearing before he or she has the opportunity to be returned to the general population. As noted above, this could be as long as three weeks.

The problem is clear. The panel cannot know with any certainty how long it will be before an inmate is ready to return to the general population. It would not be practical to review an inmate's placement daily, but every two or three weeks is too long.

In keeping with the principle of least restrictive measures, it would be better if the situation of all segregated inmates were reviewed more frequently.

RECOMMENDATIONS

+ Follow the same criteria for making the decision to continue to segregate an inmate as was followed in the initial decision to impose segregation.
+ Increase the frequency of security review panel hearings for a segregated inmate to once a week.
+ Provide full reasons for the security review panel's decisions, unless doing so would compromise security interests.

Appeal Responses

An inmate can appeal the decisions to initiate or continue segregation to the correctional centre's director. For the appeal process to be a reasonable recourse, the reasons given to the inmate for the placement in segregation must be sufficient to provide a realistic opportunity to construct a meaningful appeal.

We often heard that responses to appeals about placement in segregation took too long. In some centres, it was not uncommon for inmates to wait more than a week for a response to their appeal.

In some cases, the inmate was not provided with a response until after he or she had been placed back into the general population, rendering the response theoretical rather than practical. This was not a common problem, although we received complaints from every centre.

Segregation is a significant intrusion on an inmate's liberty, and appeals should be addressed as soon as reasonably possible. The timeliness of appeal responses is an issue we have discussed with Corrections on several occasions.

In the end, we agreed that the response time for appeals about placements in segregation should be the same as appeals of disciplinary sanctions involving cell confinement, which is two days. In January 2002, Corrections implemented a provincial policy requiring correctional centre directors to respond to segregation appeals within two days. We are monitoring the application of the new policy.

COMMENDATION

+ For Corrections' decision to implement provincial policy limiting the response time for appeals regarding segregation to two days.

Activities and Privileges in Segregation

Programming

A 1997 federal task force report on legal compliance and fairness stated the following regarding administrative segregation in the federal correctional system:

> *The purpose of delivering programs in administrative segregation is to offset the debilitating impact of segregation, to assist inmates in reintegrating into less restrictive environments, when and where possible, and to prepare inmates for reintegration into the community when release into the institutional populations is not possible.*[7]

Only inmates who are placed in segregation as the sanction for a disciplinary offence are there as punishment.

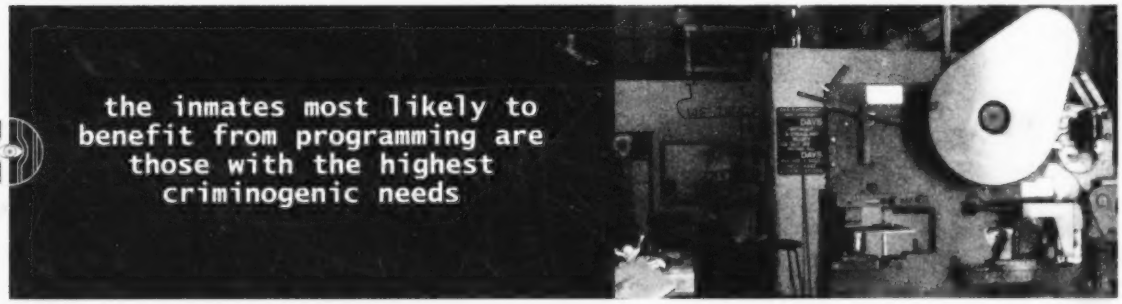
[7] Correctional Service of Canada, Task Force on Administrative Segregation, *Commitment to Legal Compliance, Fair Decisions and Effective Results: Reviewing Administrative Segregation* (March 1997), 70.

Segregation is not supposed to be punitive for inmates who are there for their own safety (voluntary segregation) or for inmates who are there because they cannot function in the general population without placing other inmates or staff at risk (involuntary segregation).

For this reason, every effort ought to be made to provide these inmates with the same rights and privileges they had while in the general population, with the exception of those that cannot reasonably be provided because of security concerns or the limitations of the segregation area. The rights and privileges segregated inmates are entitled to include access to programming.

As was discussed in "Programming," the inmates most likely to benefit from programming are those with the highest criminogenic needs, who are also the most likely to reoffend. This profile fits most of the inmates who are segregated involuntarily.

Allocating resources to programming for inmates in segregation, therefore, would serve several purposes, including targeting those inmates most likely to benefit from programming and helping to prepare segregated inmates for reintegration into the general inmate population and, after they are eventually released, the community.



Programming to prepare segregated inmates for reintegration into the general inmate population would be the most appropriate. Currently, segregated inmates receive visitors, medical and dental care, spiritual guidance and other basic services. In addition, staff members provide informal individual support and counselling when time permits.

Programming directed to the individual's specific needs, such as anger management or addictions counselling, is not generally available to segregated inmates in the men's centres. The exceptions are the Regina centre, which attempts to provide segregated inmates with continuity of programming when possible, and Pine Grove, which offers segregated inmates hand crafts, classroom and addiction education in addition to basic services.

Preparing a segregated inmate for reintegration into the general population or the community is only part of the need to provide programming. Madame Justice Arbour, in her report on the Kingston Prison for Women, states:

> *The most objectionable feature of this lengthy detention in segregation was its indefiniteness. The absence of any release plan in the early stages made it impossible for the segregated inmates to determine when, and through what effort on their part, they could bring an end to that ordeal. This indefinite hardship would have the most demoralizing effect.*[8]

Saskatchewan Corrections Policy states:

> *The Secure Unit Manager will ensure that a reintegration plan is established within*

[8] Arbour 141.
[9] Saskatchewan Corrections Divisional Policy, Security 006.

> *seven (7) days for any inmate placed on confinement in a high security unit due to behavioural problems. The reintegration plan will establish the behavioural requirements for the inmate to return to a less restrictive area.*[9]

Not withstanding this policy, none of the centres except Pine Grove adequately address the inmate's need to know specifically what needs to be done to get out of segregation and how long it will take.

Inmates receive a behavioural change plan and know that their behaviour has to change, but this is not quantified in any way. From the inmate's perspective, he is at the mercy of the staff's subjective evaluation of his behaviour.

It would ease inmate uncertainty and frustration if the reintegration plan were defined in measurable terms. Access to a broader range of programming would provide options in this regard.

On the positive side, we are encouraged by the knowledge that Corrections is committed to providing adequate programming for segregated inmates as soon as resources permit.

RECOMMENDATIONS

+ Provide programming to segregated inmates tailored to their specific needs.
+ Ensure that a release plan is prepared for each segregated inmate that enables him or her to work toward definite goals, and minimizes the indefiniteness of their stay in segregation.

Exercise time

The United Nations Standard Minimum Rules for the Treatment of Prisoners, section 21 (1) clearly calls for at least one full hour of exercise, preferably in the open air, for all inmates; this includes segregated inmates.

Physical and social isolation are extreme measures that have a significant psychological effect on an inmate. The recommended minimum of one hour of exercise would help moderate these effects.

None of the centres complies with this rule with respect to inmates who are segregated as a disciplinary sanction, or those who are segregated involuntarily. Furthermore, the limited time inmates do get out of their cells is not strictly for exercise, but rather includes time for showering, making phone calls and cleaning cells. This is a problem.

One cannot reasonably conclude that "exercise" as meant by the Standard Minimum Rules includes these activities. Not only do showering, making phone calls and cleaning cells not meet the accepted definition of exercise, they can easily use up the entire time allowed out of the cell.

For exercise to be meaningful, some exercise equipment should be available, but none of the centres provides equipment for segregated inmates to use.

In Regina, if the exercise period has to be spent indoors because of inclement weather, inmates have only a narrow unit corridor in which to move about. In the other centres, inmates have access to a common room with tables and chairs.

The centres that do not provide an hour for exercise claim that the necessary resources are simply not there. However, the resource argument can reasonably be taken only so far. The Standard Minimum Rules are an authoritative guide to help states meet their treaty obligations. Canada ought to comply.

Even if this were not the case, inmates have a right under article 10 of the International Covenant on Civil and Political Rights to be treated "with humanity and with respect for the inherent dignity of the human person." It is reasonable to conclude that this right includes a minimum of one hour of exercise outside the cell.

We recognize that Corrections is working towards providing appropriate exercise time and that the matter is not simple.

[9] Saskatchewan Corrections Divisional Policy, Security 006.

For example, because cells in Regina's segregation unit are opened with a key, there are security considerations and logistical difficulties not faced in other centres where the cells can be opened electronically. This results in difficulties whenever inmates are let out of their cells for any reason. To Regina's credit, despite the obstacles, it is working toward providing segregated inmates with a full hour of exercise.

RECOMMENDATION
+ Provide all segregated inmates with a minimum of one full hour of quality physical exercise, including access to exercise equipment.

Property Allowances

Our review revealed that property allowances for inmates in segregation differ from centre to centre. One centre allows only basic essentials, while others allow portable radios with headphones, magazines, books, and photographs.

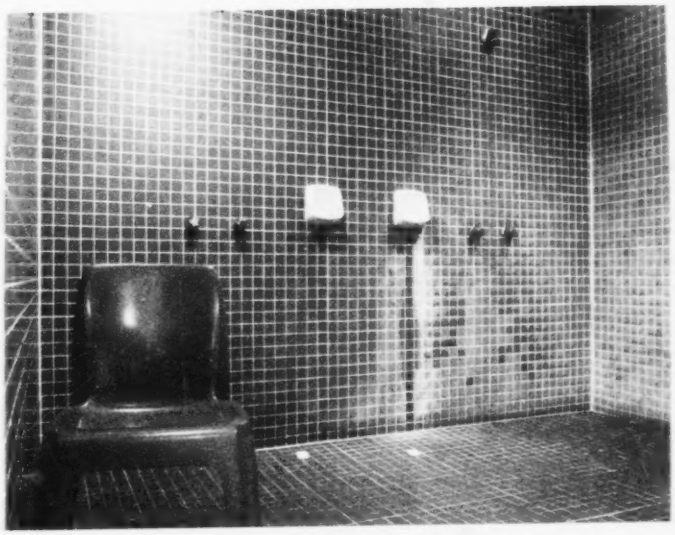
The differences in allowances can be explained by the fact that each centre has the authority to tailor its programs and procedures to fit the dynamics of the local inmate culture and the physical surroundings. This is as it should be.

On the other hand, inmates sentenced to a term of incarceration in Saskatchewan are entitled to serve their time in similar, or at least equivalent, conditions regardless of the place of incarceration. This also applies to conditions in segregation.

For example, if some centres can allow portable radios with headphones without experiencing any trouble, the same privilege should be extended to segregated inmates in the other centres. In other words, although there has to be room to address local conditions, each inconsistency ought to be justifiable.

Corrections is currently reviewing matters relating to inmate property, and advises that this matter will be considered in the course of that review.

RECOMMENDATION
+ Ensure that property allowances in the segregation units of the four centres are reasonably equivalent and as generous as possible.



Showers

Segregated inmates in three centres can shower daily if they wish. In the Regina centre, they are allowed only two showers per week, and these are to be taken during the daily half hour allowed for exercise.

Providing two showers per week complies with the minimum called for by the Standard Minimum Rules. Even so, one could argue that if it is possible to make daily showers available in three centres it should be possible to do so in the fourth.

Although it might be logistically difficult to allow daily showers in Regina, as discussed above, it is likely not impossible. Furthermore, segregated inmates in this centre should not be treated any more harshly than segregated inmates in the other centres unless the differences can be fairly justified.

RECOMMENDATION
+ Provide segregated inmates in all four centres the opportunity to shower daily if they wish.

Phone Calls

Until recently, all four correctional centres allowed inmates in segregation to make business and humanitarian calls as needed, but the calls were to be made during the exercise period.

In February 2002, a new policy stated that privileged calls were to be facilitated at all times and in emergencies. This new policy is appropriate, considering problems evident in the previous practice. Exercise times were not necessarily convenient for the people receiving the calls, and furthermore, as noted above, the exercise period should be reserved for physical exercise only.

The allowances for personal calls remain more restricted. One centre does not allow segregated inmates to make any personal calls. Another allows only two personal calls per week.

Segregated inmates have to cope with significant deprivations, and personal calls have the potential to offer some relief. To deny personal calls altogether or to severely limit personal calls without strong justification is punitive.

COMMENDATION

+ For the 2002 policy that allows segregated inmates to make privileged telephone calls at all reasonable times.

RECOMMENDATIONS

+ Allow segregated inmates to make at least one personal call daily.
+ Provide the opportunity for segregated inmates to make phone calls during a time other than their exercise period.

Other Issues

Segregation as a Last Resort

Provincial policy states that segregation is to be used as a last resort, and requires the Assistant Deputy Director or Team Leader to document what alternatives were considered prior to segregation. These alternatives include confinement to one's own cell on the unit or the loss of privileges.

This is a relatively recent policy and we do not know how closely it is being followed. It does, however, raise another issue. Since alternatives to segregation could include a restriction of liberties, the inmate is entitled to procedures that comply with the principles of fundamental justice, unless the inmate voluntarily agrees to the restriction.

Such procedures would include the rights to know the case before him or her, to be heard by an impartial decision maker, and to be provided with the reasons for the decision. At this time, there is no formal provision for such a procedure when an alternative measure is used in any of the centres.

RECOMMENDATION

+ Make decisions to implement an alternative to segregation in accordance with the principles of fundamental justice.

Segregation as Punishment

Although our review has revealed that some believe that the segregation of inmates for their own protection or for behaviour modification is supposed to be a deterrent, it is intended to protect the safety of inmates and staff and to prepare an inmate for reintegration into the general inmate population, and as such is not supposed to be a punishment.

Inmates can be forgiven, however, if they fail to see the distinction. Conditions and privileges for high-risk inmates in non-disciplinary segregation are nearly identical to those for inmates in disciplinary segregation. When conditions are the same, it is difficult to imagine how inmates could conclude that one type of segregation is punitive and the other is not.

The rights and privileges of inmates in segregation in the federal system are explicitly stated in *The Corrections and Conditional Release Act*. Section 39 states that no punishment is to be meted out except through the disciplinary process. Section 37 contains inmate rights and privileges in segregation.[10]

[10] *The Corrections and Conditional Release Act*, section 37.
"An inmate in administrative segregation shall be given the same rights, privileges and conditions of confinement as the general inmate population except for those rights, privileges and conditions that (a) can only be enjoyed in association with other inmates; or (b) cannot reasonably be given owing to i) limitations specific to the administrative segregation area, or ii) security requirements."

Conditions of confinement in segregation are more an issue of attitude than policy. Saskatchewan's policy on segregation is clear: it should only be used as a last resort, and with the least restriction necessary.

In 1973, Corrections agreed with the Ombudsman's conclusion that inmates in non-disciplinary segregation were to receive the same rights and privileges as inmates in the general population to the extent reasonably possible. Current practice falls far short of this commitment.

Admittedly, there are staffing issues and bed space problems that make this commitment difficult to live up to. Nevertheless, despite the difficulties, Corrections and Correctional staff must keep in mind that we are dealing with inmates' legal rights.

RECOMMENDATIONS

+ Provide segregated inmates with programming and privileges consistent with Corrections' policy of least restrictive measures.
+ Provide inmates segregated for non-disciplinary reasons with rights and privileges equivalent to those they would receive in the general population, to the extent reasonably possible.

Length of Stay in Segregation

The 1997 federal task force report titled "Commitment to Legal Compliance, Fair Decisions and Effective Results" concludes, while acknowledging that others have come to a different conclusion, that the effects of long-term segregation are harmful.

We have not conducted our own study, but this conclusion is consistent with reports we have received from inmates. Even if one were to conclude that there is no harm or that the harm is minimal, segregation is an extreme restriction of liberty that should only be used as a last resort, and for the minimum time necessary to achieve its objectives.

The experience of the four centres varies. Each of the four centres provided statistics showing the number of days inmates spent in segregation. It is difficult to compare the experience of one centre to another or to a model standard without an analysis of the reasons for each instance of segregation and the culture of each institution.

For example, the fact that one institution holds inmates in segregation longer on average than another may simply mean that its inmates are, in general, more difficult to manage. On the other hand, it may mean that one institution's reintegration program is more effective than another's. When bed space availability is an issue, some centres place inmates in the secure unit as a temporary measure, and this will affect its statistics.

In addition to these difficulties, Corrections does not have a database it can use to determine how many inmates are being segregated, for what reasons, and for how long. This information can only be obtained by manually going through individual records. We have been informed, however, that they are presently in the process of creating such a database.

Despite having to gather information manually, Corrections examined its use of segregation in 1999. Unfortunately, due to inconsistencies in the record keeping practices of the four centres, the data is not entirely reliable. Even so, we have been advised the results are generally consistent with what was expected.

The results showed that, on average, Pine Grove and Prince Albert kept inmates on non-disciplinary segregation for six days, Regina for twelve days, and Saskatoon for seventeen and a half days.

Evidently, at least in 1999, stays in Segregation were not excessively long, although we are aware of some stays that were much longer than the above averages.

We have been advised that since 1999, there has been a slight to moderate trend toward increased use of segregation to manage inmate behaviour due to an overall increase in the risk levels of inmates. This is a subjective observation, as Corrections does not currently have a database that would enable a statistical analysis of the use of segregation, as mentioned above.

One purpose of better information would be to ensure that so far as reasonably possible, inmates in the province's four correctional centres are being treated similarly and fairly with regard to segregation practices.

RECOMMENDATION

+ Keep records on the use of segregation that can be used for statistical analysis.

Bed Space Availability

The inmate population in a correctional centre often rises beyond the centre's ability to house inmates in the general population. In these circumstances, the practice has been to transfer some inmates to another centre or, in at least one centre, to place some inmates in segregation.

A problem can also arise when an inmate in segregation is ready to be reintegrated into the general population but there are no cells available.

The problem with moving inmates to segregation is that, with the exception of Pine Grove, the move inevitably results in a curtailment of liberty.[11] The extreme example is the Regina correctional centre, where all inmates in segregation are on 23 ½-hour lockup.

It can be argued that if the moving of an inmate from one unit in a correctional centre to another without any fault on the part of the inmate constitutes an intensified imprisonment, the move would be arbitrary and unfair, contrary to section 7 of the Charter of Rights and Freedoms.

Such a move might be acceptable in the event of an emergency, such as a flooded unit, in which case the placement should last only as long as is strictly necessary, but such placement for the purpose of bed space management is questionable.

A problem can also arise when an inmate in segregation is ready to be reintegrated into the general population but there are no cells available. If there are no provisions to allow a segregated inmate who is ready to be reintegrated to follow the same routine as inmates in the general population, that inmate's imprisonment will be unnecessarily intensified until he is moved.

RECOMMENDATIONS

+ Use the segregation unit for overflow living space only when absolutely necessary in the event of an emergency.
+ Take steps to enable segregated inmates waiting for cell vacancies in the general population to participate in programming and have privileges in keeping with their right to be part of the general population.

[11] The Pine Grove Correctional Centre is set up to enable inmates in the secure unit to follow the same routine as inmates in the general population.

Inmate Handbook

Although practices vary, all four correctional centres provide inmates with an orientation and an explanation of the rules for the segregation unit. In some centres, the rules are written; in others they are explained orally.

One problem with oral explanations is that they are quickly forgotten unless they have immediate relevance. Despite staff attempts to orient inmates, inmates often tell us that they do not know what their rights are and do not know what the expectations are.

This situation would be addressed if inmates in the segregation unit were given, or at least had access to, a handbook that explained the rules, their rights and what is expected of them.

At this time, only Pine Grove provides inmates with a handbook regarding the segregation unit. The 1997 federal task force report on administrative segregation recommended that all inmates entering segregation receive a handbook. Although we acknowledge that the federal system has the advantage of working with more resources than the provincial system, this recommendation has merit.

If inmates' rights are to be respected, inmates have to know what their rights and obligations while in segregated are; otherwise, they can too easily be ignored.

RECOMMENDATION

+ Prepare a handbook for segregated inmates explaining the rules, rights and expectations in segregation.

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres
October 2002

Segregation

RECOMMENDATIONS

- Ensure that inmates are provided meaningful and detailed reasons for placement in segregation.
- Provide inmates with the evidence that will be considered by the security review panel.
- Give inmates sufficient time to consider the evidence that will be considered by the security review panel.
- Allow inmates to address the security review panel in person or in writing prior to their deliberations.
- Allow inmates appearing before a security review panel the opportunity to be represented by counsel or an agent, including an agent chosen from among other inmates.
- Explore with appropriate non-government agencies their willingness to provide competent representation for inmates appearing before security review panels.
- Appoint an independent, outside adjudicator to review decisions regarding segregation and continued segregation.
- Follow the same criteria for making the decision to continue to segregate an inmate as was followed in the initial decision to impose segregation.
- Increase the frequency of security review panel hearings for a segregated inmate to once a week.
- Provide full reasons for the security review panel's decisions, unless doing so would compromise security interests.
- Provide programming to segregated inmates tailored to their specific needs.
- Ensure that a release plan is prepared for each segregated inmate that enables him or her to work toward definite goals, and minimizes the indefiniteness of their stay in segregation.
- Provide all segregated inmates with a minimum of one full hour of quality physical exercise, including access to exercise equipment.
- Ensure that property allowances in the segregation units of the four centres are reasonably equivalent and as generous as possible.
- Provide segregated inmates in all four centres the opportunity to shower daily if they wish.
- Allow segregated inmates to make at least one personal call daily.
- Provide the opportunity for segregated inmates to make phone calls during a time other than their exercise period.
- Make decisions to implement an alternative to segregation in accordance with the principles of fundamental justice.
- Provide segregated inmates with programming and privileges consistent with Corrections' policy of least restrictive measures.
- Provide inmates segregated for non-disciplinary reasons with rights and privileges equivalent to those they would receive in the general population, to the extent reasonably possible.
- Keep records on the use of segregation that can be used for statistical analysis.
- Use the segregation unit for overflow living space only when absolutely necessary in the event of an emergency.
- Take steps to enable segregated inmates waiting for cell vacancies in the general population to participate in programming and have privileges in keeping with their right to be part of the general population.
- Prepare a handbook for segregated inmates explaining the rules, rights and expectations in segregation.

COMMENDATIONS

- For Corrections' decision to implement provincial policy limiting the response time for appeals regarding segregation to two days.
- For the 2002 policy that allows segregated inmates to make privileged telephone calls at all reasonable times.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

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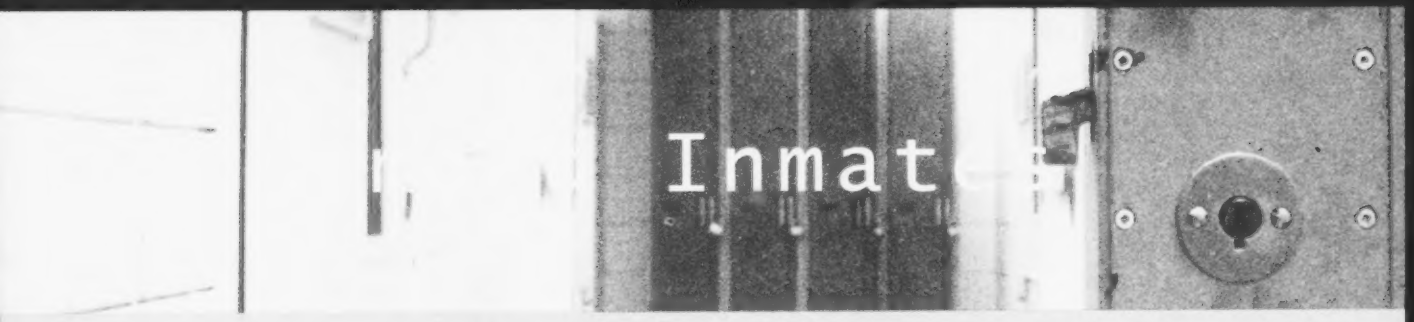

Ombudsman
SASKATCHEWAN

Remand Inmates

The general picture for adults on remand is of isolated, anxious, sad, disturbed and often desperate men and women, many with children. Before coming into prison they were likely to be living in impoverished circumstances and dependent on the State for survival. Most were without work, living alone and a significant number were misusing drugs and/or alcohol. Their precarious position and mental state is further jeopardized by the experience of imprisonment which threatens housing, work and, particularly for women, contact with their children.[1]

Introduction

Remand inmates are people who have been charged with an offence but have not yet been tried. Although there has been no determination of guilt, they are kept in custody for one of two reasons: there is a high risk they won't appear for their court hearing or there is a high risk they will commit another offence.

In 2001, three provinces, British Columbia, Alberta, and Manitoba, had facilities designed specifically for remand inmates. The other provinces keep remand inmates in institutions that hold both sentenced and remand inmates.[2] Saskatchewan is one of these provinces.

One would suppose that inmates who had not yet been tried, found guilty and sentenced would be treated differently than inmates who had. In fact, they are treated differently.

One would also expect that due to their unconvicted status they would be treated better not worse, but this is seldom true. In fact, they generally have fewer liberties, fewer opportunities for recreation, and fewer or no opportunities for work, education and training.

In Saskatchewan, with the exception of inmates at Pine Grove (which treats remand and sentenced inmates the same), all of the inmates we spoke to told us that it was easier to serve time as a sentenced inmate than as a remand inmate. This is reflected in the courts' sentencing practices, which as a rule count time spent on remand as double time. Interestingly, in a few cases in other jurisdictions, the courts have counted remand time as triple time.[3]

It is not uncommon for remand inmates to serve several months on remand status. In the fiscal year 2000/2001, the average length of time served by remand inmates in Saskatchewan was about thirty-three days.[4] Average stay, however, may be a misleading statistic as the average is skewed upwards by those inmates who have been on remand status for an exceptionally long time.

The median stay is only 5 days, which means that half the inmates who are admitted to the centre on remand status serve five days or less. This may also be misleading, as it does not require many cells to accommodate a succession of inmates who are only staying for a few days.

What is more useful to know is the percentage of inmates at any given time who are serving more than a few days on remand status. In the fiscal year 1999/2000, the most recent year for which statistics are available, 84% of the remand inmates in Saskatchewan's jails were serving more than thirty days, and 72% were serving more than sixty days.

These statistics indicate that the remand units comprise mostly inmates serving far more than a few days. Many of these inmates could benefit from services that are presently offered only to sentenced inmates.

[1] Her Majesty's Chief Inspector of Prisons for England and Wales. *Unjust Deserts: A Thematic Review by HM Chief Inspector of Prisons of the Treatment and Conditions for Unsentenced Prisoners in England and Wales* (London: Home Office, 2000), 24. Although the quote refers to conditions in England, it applies equally to Saskatchewan.

[2] Heather Gilmour, *The Use of Custodial Remand in Canada, 1988-89 to 1997-98* (Canadian Centre for Justice Statistics, 1999), 3.

[3] *R. v. James Douglas Taylor*, Alberta Court of Queen's Bench, 2002 ABQB 266.

[4] Pine Grove: 22.12 days; Prince Albert: 50.54 days; Regina: 25.85 days; Saskatoon: 38.87 days.

Not only are remand inmates serving more time on remand, but there are also more remand admissions. Between 1988 and 1998, most jurisdictions in Canada experienced an increase in remand admissions. During the same period, Saskatchewan remand admissions increased from 4,464 to 6,685.[5]

Remand Issues in Saskatchewan

Each of the four correctional centres in Saskatchewan, working within the authority specified in *The Correctional Services Act*, sets its own rules for remand inmates. This has resulted in significant differences in privileges from one centre to the next.

A common explanation is that each centre works with a different staff and inmate culture and, with the exception of Saskatoon and Prince Albert, in a different physical environment. These differences are said to require different rules for managing remand inmates.

Circumstances at the women's centre differ markedly from those at the men's centres.

[5] Gilmour 6.

Remand inmates at Pine Grove live with and are given the same privileges as sentenced inmates. At Saskatoon and Prince Albert, only those remand inmates who are assessed as low-risk and are placed in the dormitories live and work alongside sentenced inmates. Remand inmates in Regina are kept separate from sentenced inmates.

As the following discussion of services provided to remand inmates will reveal, it is not always easy to understand how differences in services provided by the four centres can be justified.

The Admission Process

None of the provincial correctional centres has policy specifically addressing the needs of remand inmates in the first few days after they are admitted. All of the centres told us that their staff members were willing to help inmates who are having trouble adjusting to their new situation.

When asked how they were received when they were admitted on remand, inmate representatives in the men's centres said they were "processed". They did not find the staff members helpful, and some found the experience intimidating. In contrast, representatives from the women's centre thought the reception was all right.

The gap in perception is interesting. With the exception of Pine Grove, the message that staff members are apparently willing to help new admissions who are having difficulty is not getting through to the inmates. The uncertainty remand inmates face and the anxiety felt by many, especially first timers, put these inmates at a greater risk of stress-related health problems, including depression and self-harm.

An inmate's perception of the willingness of staff to help plays a large role in his or her ability to cope. For this reason, it is important that staff members communicate their willingness to help remand inmates who are having trouble.

RECOMMENDATION

- Draft policy addressing protocol for the reception of remand inmates that emphasizes the need to balance professional vigilance with compassionate support.

Telephones access

Pine Grove turns on the phones from 6:00 am till 10:30 pm. Both incoming and outgoing calls are allowed.

Prince Albert turns on the phones from 8:00 am till 10:00 pm. Both incoming and outgoing calls are allowed on the Remand Unit and in the Dormitory, where some of the remand inmates are held.

Saskatoon, on the other hand, only allows each remand inmate two fifteen-minute calls per day. This arrangement is more restrictive than the other centres, but allowing each of approximately 20 inmates on a unit with a half hour of phone calls daily works out to only a little less than allowing the same number of inmates to share the phone for 14 hours per day. Incoming calls are allowed between 9:00 pm and 10:00 pm only. Professional calls are allowed as needed, within reason.

On Regina's remand unit, the phones are turned on at 9:00 am and remain on until 10:30 pm. Inmates are to monitor their own time to give everyone a chance to use the phone. Incoming calls are not allowed except from professionals, such as lawyers and the Ombudsman. Regina has the ability to monitor calls placed by remand inmates, while the other centres do not.

Regina's ability to monitor all calls by simply picking up an extension presents problems for inmates who want to make a confidential call to, for example, their wife, the ombudsman or a lawyer. Because of the physical set up of the Remand Unit in Regina, inmates have no way of knowing if their call is being monitored because the extension is in the staff office, which is out of sight.

It should be noted that remand inmates in Regina can request the use of another phone that is private. However, arranging the use of a private line can be complicated by other demands on staff members that result in lengthy delays.

There is nothing inappropriate about monitoring an inmate's calls if there is good reason to suspect the inmate is using the phone to commit an offence. Otherwise, inmates are entitled to some measure of privacy. Other centres are managing without the ability to monitor calls. We have found no good reason for its use in Regina.

It is not clear why two centres can manage incoming calls all day but two others either can't or won't. Clearly, allowing remand inmates to both make and receive calls allows for easier communication with family and other supports. It is also more in line with Corrections' principle of using the least restrictive measures to manage inmates.

RECOMMENDATIONS

- Standardize phone privileges in the four centres.
- Provide remand inmates in Regina with better access to a private line for phone calls.

Time Spent Out of Cells

Pine Grove remand inmates are out of their cells from 6:00 am till 10:30 pm along with the sentenced inmates. Regina remand inmates are out of their cells 15.5 hours per day. In Prince Albert, remand inmates in the remand units, which hold about thirty inmates, are out of their cell 12.5 hours per day. Saskatoon's remand inmates are out of their cells 6.5 hours per day.

Although Saskatoon is structurally the same as Prince Albert, Saskatoon's two remand units hold 12 more inmates. This changes the staff-to-inmate ratio and the larger number of inmates is more difficult to manage. Due to the lower staff-to-inmate ratio and to lower the number of inmates out of their cells at one time, Saskatoon has staggered program times so that only one half of a unit is out of their cell at one time.

In both Saskatoon and Prince Albert, many low-security remand inmates are placed in the general population dormitory where there are no cells. This allows these remand inmates considerably more freedom of movement.

Since Pine Grove fully integrates remand and sentenced inmates, its rules for out-of-cell time should not be used as a point of comparison with Saskatoon and Prince Albert, which practice only partial integration. Comparisons between Saskatoon, Prince Albert and Regina, however, are legitimate.

Regina and Prince Albert remand inmates are out of their cells for most of their waking day. Saskatoon is much more restrictive. While the explanation for Saskatoon's practices makes sense, the result is not fair for the remand inmates who get only half as much time out of their cell as remand inmates in the other institutions.

Correctional centres that practice double-bunking are aware of the risks and try to ensure that cellmates are compatible. However, even when cellmates are compatible, they still have to share a toilet that affords no privacy, which most find very offensive, and also have to accommodate each other's behavioural idiosyncrasies, which over time can become very trying.

While one can understand the difficulty Corrections faces in trying to balance limited resources with increasing needs for space, it is not fair to expect inmates to suffer affronts to their dignity and increased risks to their safety because the system is short of resources.

it is not fair to expect inmates to suffer affronts to their dignity and increased risks to their safety because the system is short of resources.

RECOMMENDATION

+ Standardize out-of-cell time for remand inmates in the four centres.

Double-Bunking

The issue of double-bunking (placing two inmates in one cell) is not restricted to remand inmates. The following discussion, however, applies only to remand inmates. Double-bunking of sentenced inmates is discussed in "Living Conditions."

Pine Grove does not practice double-bunking anywhere, but all of the men's centres do in their remand units and elsewhere. In general, inmates do not like double-bunking as it is an intrusion on privacy and potentially places them at an increased risk of harm.

Corrections says that double-bunking has become necessary with the rise in remand admissions in the last several years. All of the men's centres in Saskatchewan practice double-bunking.

The United Nations Standard Minimum Rules states under section 9 (1):

> *Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room.*

More specifically under section 86, it states: "Untried prisoners shall sleep singly in separate rooms, with the reservation of different local custom in respect of the climate."

The Standard Minimum Rules were approved by the United Nations Economic and Social Council as an authoritative guide to meeting binding treaty standards. As such, compliance with the Standard Minimum Rules should not be considered optional but minimal.

RECOMMENDATION

+ Resort to double-bunking for remand inmates only as an extraordinary, temporary measure in response to an emergency until other accommodation can be found.

Exercise

Because of the uncertainty of their futures, remand inmates experience more stress than sentenced inmates. One way to alleviate this stress is through exercise. Consequently, and in keeping with Corrections' policy of using the least restrictive measures necessary to maintain order and security, it would be best if Corrections maximized the exercise time available to remand inmates.

Remand inmates in Regina have access to the weight room for one hour per day and access to the remand compound for one hour per day. The remainder of their time is spent on the unit, where there are no exercise facilities.

Saskatoon's remand inmates have access to the gym or compound for a half hour four days per week and one hour for three days per week.

Remand inmates in Prince Albert have access to the gym, pool room or courtyard at various times for a total of 5 hours per day.

Pine Grove's remand inmates get two half-hour periods in the courtyard daily and can engage in recreational activities after 6:00 which, depending on the day, include time in the exercise room or aerobics in the program wing.

The difference between Saskatoon's and Prince Albert's allowable time for recreation and exercise requires an explanation. In general, opportunities for exercise at all of the facilities should be maximized.

RECOMMENDATION

+ Maximize the exercise time available to remand inmates and, to the extent possible given the differences between the physical structures of the four centres, standardize the available exercise time.

Visits

Even for those remand inmates who are only on remand status for a few days, visits from family or other support people are important. Remand inmates face an uncertain future and are living under very stressful conditions.

For remand inmates serving longer periods, which on any given day is the vast majority, visits are essential if they are to maintain their family ties and cope with their circumstances. This and their unconvicted status clearly argue for maximum visiting allowances.

Visiting allowances, however, are not generous. Regina remand inmates are permitted one three-hour personal visit per week on Saturday. Saskatoon allows two ninety-minute personal visits per week. Visits are allowed seven days per week between 7:30 am and 9:30 pm. Prince Albert allows two two-hour personal visits per week. Pine Grove allows one personal visit per week between 6:00 pm and 8:15 pm. All centres allow business visits as needed.

Provincial policy requires a minimum of one one-hour personal visit per week. All centres are exceeding this minimum, with Prince Albert and Saskatoon being the most generous.

The visiting policy together with the phone policy would seem to be adequate to maintain family

and community ties in the very short term, but not in the long term.

By way of comparison, remand inmates in the United Kingdom are entitled to unlimited visits. At present, this is not practicable in Saskatchewan but it illustrates what can be done.

RECOMMENDATION

+ Maximize visiting allowances for remand inmates, especially those serving longer periods on remand status.

Programming

On any given day, approximately 80% of the remand inmates in Saskatchewan's correctional centres have served or will be serving thirty or more days on remand status. At present, with the exception of Pine Grove, time spent on the remand unit is idle time.

Since these inmates are on remand status, they are under no obligation to participate in any kind of programming. Nevertheless, many, if not all, would benefit from programming.

Since these inmates are on remand status, they are under no obligation to participate in any kind of programming. Nevertheless, many, if not all, would benefit from programming. If programming were offered, some inmates would undoubtedly volunteer to address needs, others would volunteer simply to ease the boredom, and some wouldn't be interested.

Even if only some of the remand inmates benefited from their participation in programming, it would be an improvement on the current situation where none benefit. Giving remand inmates the option of voluntarily addressing their needs is an opportunity that should not be missed.

RECOMMENDATION

+ Offer case management and programming to remand inmates, especially those serving extended periods of time on remand status.

Maintaining Accommodation and Employment

Remand inmates who are incarcerated for more than few days face the possibility of losing their jobs and their place of residence if they are renting.

Her Majesty's Prison Service, which is responsible for prisons in England and Wales, recognizes the need to help remand inmates maintain accommodation and employment in its Prison Service Standards, which states: "Remand prisoners must be offered help in preserving accommodation and employment, pursuing legitimate business interests, maintaining family and community ties, and applying for bail."

According to the inmate representatives we talked to, this is not an issue that is discussed with them. If they experience problems with maintaining employment and accommodation, they believe they are on their own.

With the exception of Pine Grove, remand inmates are in fact on their own in maintaining accommodation and employment. The men's centres provide phone and mail services but are not actively involved. Pine Grove staff will write letters to landlords or employers and will also solicit help from social workers.

It would be in the best interests of both the remand inmates and the community if Corrections took steps to help remand inmates retain jobs and accommodation. Since many remand inmates will lose their jobs and accommodation, they will also need help securing a new job and accommodation. This assistance could come directly from the inmate's case manager, or Corrections could solicit help from volunteer organizations.

At the very least, remand inmates who have lost their job or accommodation and are not sentenced to a term of incarceration should be provided with referrals to employment and housing agencies that are willing to help them.

RECOMMENDATION
+ Develop policy addressing the need to help remand inmates retain employment and accommodation.

Transportation To and From Court

Remand inmates are transferred to and from court in a passenger van.

In Regina and Saskatoon, Court Services and RCMP Provost share responsibility for this transportation. A member of Court Services and Provost are in the van for each trip.

In Prince Albert, the city police transport inmates to and from court. Inmates are always handcuffed and are sometimes handcuffed together. The van doors can only be unlocked from the outside, and there are no seat belts.

In the event of a serious accident or fire, the inmates are at risk of serious harm. Because the doors are locked from the outside, there is a risk that they would not be able to get out. There do not appear to be any procedures in place for what to do in the event of a serious accident, and inmates claim they are given no instructions.

Legislation in Saskatchewan does not require seat belts for inmates being transferred to and from court, but neither are they prohibited. In the event of a serious accident, inmates in transit are at grave risk of injury.

Steps need to be taken to minimize this risk while at the same time providing responsible supervision and security.

RECOMMENDATION
+ Take steps to minimize the risk of harm to inmates in transit.

Conclusion

The average daily count of remand inmates rose from 179 in 1995 to 304 in 2001. With the exception of Pine Grove, this has resulted in increased crowding in the remand units and fewer privileges. The trend does not show signs of abating, much less reversing.

Remand inmates are innocent of the charges against them unless and until they are convicted. Until that time, they ought to be provided privileges that are at least equivalent to the privileges provided to sentenced inmates.

This does not happen in Saskatchewan and, in fact, seldom happens anywhere. This is largely the result of an unfortunate belief held by some that if remand inmates participate in rehabilitative programming they risk implying their guilt, so remand inmates will not participate in programming even if it is offered.

Considering the circumstances of many remand inmates, this doesn't make much sense. Many inmates' histories reveal long-standing substance abuse, violent behaviour, or other problems that indicate a need for help. Availing themselves of help should not compromise their situation.

Remand Inmates

RECOMMENDATIONS

- Draft policy addressing protocol for the reception of remand inmates that emphasizes the need to balance professional vigilance with compassionate support.
- Standardize phone privileges in the four centres.
- Provide remand inmates in Regina with better access to a private line for phone calls.
- Standardize out-of-cell time for remand inmates in the four centres.
- Resort to double-bunking for remand inmates only as an extraordinary, temporary measure in response to an emergency until other accommodation can be found.
- Maximize the exercise time available to remand inmates and, to the extent possible given the differences between the physical structures of the four centres, standardize the available exercise time.
- Maximize visiting allowances for remand inmates, especially those serving longer periods on remand status.
- Offer case management and programming to remand inmates, especially those serving extended periods of time on remand status.
- Develop policy addressing the need to help remand inmates retain employment and accommodation.
- Take steps to minimize the risk of harm to inmates in transit.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

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Ombudsman
SASKATCHEWAN

Correctional Services for Aboriginal Inmates

Aboriginal people are disproportionately represented in jails in Canada, and this is especially true in Saskatchewan's jails. Statistics Canada has reported that in 1999, 8% of our population was aboriginal, yet 76% of the inmate population in our adult correctional centres was aboriginal.

This disproportional representation is mirrored in every Canadian province, although the gap is widest in Saskatchewan and Manitoba, which also have the largest percentage of aboriginal residents.[1]

We anticipate that the issue of aboriginal overrepresentation in Saskatchewan's jails will be addressed by the Commission on First Nations and Métis Peoples and Justice Reform that was established in 2001 by the Saskatchewan Government to "review [Saskatchewan's] justice system with the intent of devising solutions to overcome systemic discriminatory practices and address attitudes based on racial or cultural prejudice."[2] Other than discussing the issue generally, we will defer to the commission.

Programming that has been offered in Saskatchewan's correctional centres has not satisfied aboriginal organizations, which have been claiming for decades that the programming Corrections is delivering does not work for aboriginal inmates. Among other things, these organizations want to see more programming with an aboriginal focus and more aboriginal corrections staff.

The Alberta report "Justice on Trial" highlighted the long-standing call for more aboriginal programming by listing the following trends in recommendations made in 22 reports published between 1967 and 1990.[3]

- Native agencies should provide services on contract for Native inmates.
- Native-tailored programming in institutions should be available.
- A wider range of Native programming is needed.
- Spiritual programs should be allowed.

The aboriginal community's lack of confidence in the correctional system's ability to meet the programming needs of aboriginal inmates is reflected in the Federation of Saskatchewan Indian Nations' 1996 publication titled "Corrections Conceptual and Organizational Framework Document."

One of the key principles cited as guiding the development of this document is that First Nations inmates need a system that will guide their behaviour using First Nations values.[4] Three of the document's recommendations called for First Nations governments and agencies to develop and administer First Nations programs for inmates.[5]

These recommendations are in line with a conclusion of the Manitoba Report of the Aboriginal Justice Inquiry:

> *"We wish to stress that we believe this problem will not go away until Aboriginal people and Aboriginal organizations are directly involved in developing and providing spiritual, educational, vocational and counseling programs within or outside correctional facilities."*[6]

[1] Canadian Centre for Justice Statistics, *Aboriginal Peoples in Canada* (2001), 10. This phenomenon is not unique to Canada. It also exists in Australia, New Zealand, Sweden, and the United States (Proceedings, International Indigenous Symposium on Corrections, Vancouver, Canada, March 1999).

[2] Terms of Reference, Commission on First Nations and Métis Peoples and Justice Reform (2001), 1.

[3] Task Force on the Criminal Justice System and its Impact on the Indian and Metis people of Alberta, *Justice on Trial* (1990), 11.

[4] Federation of Saskatchewan Indian Nations, *Corrections Conceptual and Organizational Framework Document* (1996), 2.

[5] *Corrections Conceptual and Organizational Framework Document* 59.

[6] A. C. Hamilton and C. M. Sinclair, *Report of the Aboriginal Justice Inquiry of Manitoba* (1991), 443.

The common argument supporting the need for more aboriginal programming is that aboriginal inmates will be more willing to participate in programming and will be more receptive to the objectives of the programming if it is tailored to aboriginal philosophy and delivered by aboriginal instructors familiar with traditional culture.

Based on our own discussions with aboriginal inmates, aboriginal organizations, and Corrections staff, and our examination of the literature on the subject, we believe that this argument has merit.

Although the problem of overrepresentation of aboriginal inmates has existed for a long time, it is only in recent years that Corrections has been making a concerted effort to tailor their rehabilitative and reintegrative programs and services to meet the unique needs of aboriginal inmates.

Presently, Corrections offers four aboriginal programs that have not yet been tested but may meet its definition of 'effective' programs, that is, programs that have been shown to reduce recidivism.[7]

The Healing Lodge in Prince Albert, which is the result of a 1997 agreement between Corrections and the Prince Albert Grand Council, provides an environment in which aboriginal inmates can work with their needs in a manner consistent with their own cultural and spiritual beliefs. The Lodge is set up to house twenty-five low-security provincial inmates.

The Children's Visiting Program offered at the women's correctional centre helps mothers strengthen their relationship with their children. The Balanced Life Styles program offered at the Regina Correctional Centre and the Journey to Healing program offered at the Prince Albert Correctional Centre are both directed toward improving the life skills of aboriginal inmates. In the fiscal year 2000/2001, 32 inmates participated in the Balanced Life Styles Program, 308 in the Journey to Healing program and 100 in the Children's Visiting Program.

In addition to these four aboriginal programs, the centres offer many activities specifically for aboriginal inmates, including powwows, round dances, feasts, healing circles, sweats, elder counseling, outside speakers on aboriginal culture and spirituality, and pipe ceremonies. Corrections has also entered into early release agreements with eight First Nations, under which these First Nations will supervise and assist aboriginal inmates with reintegration into the community at the end of their sentence.

Saskatchewan Corrections is working toward providing more programming designed for aboriginal inmates and is doing so in consultation with aboriginal groups such as the Federation of Saskatchewan Indian Nations, tribal councils, Elders serving the correctional centres and aboriginal community operations.

Corrections' objective is, through consultation, to adopt approaches to programming that meet the goals of both Corrections and aboriginal organi-

[7] See 'Programming' for an explanation of effective programming.

zations and representatives. Corrections is also working with Correctional Service of Canada on aboriginal programming with a view to sharing resources.

In addition to working toward providing more aboriginal programming, Corrections is steadily increasing the number of aboriginal staff. As of March 31, 2001, there were 99 self-declared aboriginal employees working for Corrections. By January 11, 2002, the number had increased to 125 or 15% of all employees. In all centres except Regina, the percentage of aboriginal employees is greater than the percentage of aboriginal people in Saskatchewan.

Despite Corrections' agreement with the effectiveness of aboriginal programming and the need for more aboriginal programming, and although significant steps have been taken, overall progress has been slow. More aboriginal programs and more aboriginal instructors are needed. This will inevitably require more program space, which is already falling short of needs. It will also require more instructors qualified to deliver aboriginal programming from an aboriginal perspective.

Our discussion of the issues has been admittedly brief. We look forward to a more in depth analysis from the Commission on First Nations and Métis Peoples and Justice Reform.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

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Ombudsman
SASKATCHEWAN

Staff Training

Introduction

Corrections workers play an integral role in the delivery of services to remanded and sentenced inmates in Saskatchewan's four correctional centres.

As front line workers in daily contact with inmates, their performance plays a large role in the success or failure of the institution's rehabilitation and reintegration efforts. For this reason, expectations for correctional workers are high. They must be committed to Corrections' mission to rehabilitate and reintegrate inmates and be willing to comport themselves professionally at all times.

Because of the key role corrections workers play in the delivery of services to inmates, we decided that a separate section addressing their initial and ongoing training was in order.

Evolution of The Role of the Corrections Worker

Before discussing the present-day qualifications of a corrections worker, the reader may find it helpful to look at the role of a corrections worker in its historical context. The role of prison staff changed dramatically in the last half of the twentieth century.

Prior to the 1940s, prisons employed "guards." A guard's principal function was keeping close watch over inmates in order to prevent misconduct or escape. Guards were not required to possess any special skills other than being tough. They were often quick to resort to force because they had not been trained to use any other method of control. It was during this era that the press, movie companies and authors impressed on the public mind an image of a prison guard as a wall-walking, gun-toting, club-swinging boss, and unfortunately some guards tried to live up to that image.

When behaviourists introduced treatment and rehabilitation concepts to the prison systems, the guard mentality started to fall out of favour. The new approach required hiring people who were intelligent, compassionate and understanding, as well as being willing and capable of supervising and interacting closely with inmates. With this new approach, Corrections entered the age of the correctional professional charged with the responsibility of reforming people.

Although the role of a corrections worker was changing, there was no formal training available to people interested in a career in corrections work; training was received on the job. In Saskatchewan, that changed in 1977 following the Prince Albert Correctional Centre riot and the resulting Moore Inquiry, which recommended significant changes to the recruitment and training of institutional personnel.

The Minister of the day accepted the recommendations of the report and ordered their implementation. The following is a summary of the recommendations directed at training and recruitment:

- All institutional staff members were to be trained in First Aid.
- All new staff were to be provided training prior to being deployed in an institution, and
- Staff members were to be knowledgeable about inmate programming.

To implement these recommendations, Corrections developed a partnership with the School of Human Justice at the University of Regina and implemented a Central Training Coordinator position to develop and oversee the training of all new institutional recruits. The new program was called the Corrections Worker Training Program.

This program has evolved since it was first introduced, and is now offered by the Saskatchewan Institute of Applied Arts and Sciences. Today, new corrections workers also have to undergo 6 weeks of in-service training at a correctional centre.

At about the same time that formal training was introduced, Corrections adopted the Living Unit Concept, which brought several significant

changes for corrections workers. This new concept envisions a normalized living environment that is based on:

> *...The objective of using the day-to-day routines and living environment to teach and reinforce to inmates the realities of non-incarceration living, to assist inmates in learning to successfully cope with personal care and group living responsibilities, and to minimize the impact of institutionalization. Hence, the inmate is responsible for following regular work routines, taking care of self and his personal living space, some meal preparation, wearing of own clothing, and successfully living in a residential-like group living situation.*[1]

...both security and case management responsibilities were blended into the corrections workers' job description, with an increased emphasis on inmate counselling.

In keeping with this new concept, both security and case management responsibilities were blended into the corrections workers' job description, with an increased emphasis on inmate counselling.

Presently, to be hired as a correctional worker, one must bring certain knowledge, skills and personal attributes to the job. Knowledge and skills are gained through life experience or formal training. Personal attributes are those enduring aspects of one's personality that tend to persist throughout one's life.

The Public Service Commission's Core Competency Profile for Institutional Corrections Workers provides a detailed description of the knowledge, skills and personal attributes that must be brought to the job. The following is a summary of the Commission's profile.

Corrections Workers must:

- Be knowledgeable about the criminal justice process, public health issues and risk factors, and human behaviour and counseling methodologies in an institutional environment;
- Be knowledgeable about the different needs of male and female inmates, various cultural and spiritual belief systems, and the special needs of some inmates;
- Possess good oral and written communication skills;
- Be able to accurately assess the program needs of inmates and effectively and professionally intervene when conflict arises;
- Be able to work effectively with inmates in support of their reintegration and rehabilitation plans;
- Understand how to follow policies and directives within the limits set by the Act and Regulations;
- Be able to work with computerized data systems;
- Possess a current first aid/CPR certificate, and be able to identify behaviours that are potentially dangerous to the safety and security of the institution; and
- Be positive, trustworthy, mature, sensible, understanding and supportive.

[1] Terry Youngman, Saskatchewan Living Unit Review (July 1992)

Pre-Employment Training

There are two routes a candidate for the position of correctional worker can take. Some will complete the 48-week Correctional Worker Training Program offered by the Saskatchewan Institute of Applied Science and Technology (SIAST) before applying for a corrections worker position. Successful applicants who have chosen this route will still have to complete Corrections' on-site induction training (197.5 hours).

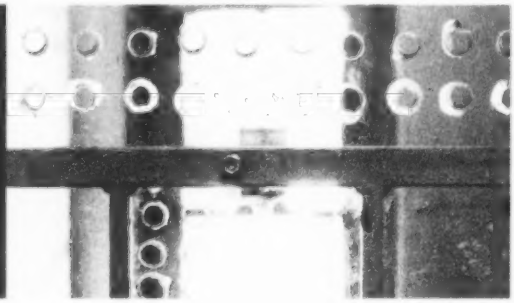
Successful applicants who have not taken the Corrections Worker Training Program are expected to complete the induction training and then obtain a corrections worker certificate of achievement from SIAST. The certificate of achievement requires completion of several SIAST classes from the Corrections Worker Training Program and is to be completed during the probation period, which lasts roughly a year.

The Corrections Worker Training Program includes classes that address the following aspects of correctional worker responsibilities and duties: communication skills, first aid, prevention of the spread of communicable diseases, coping with workplace diversity, physical fitness, the justice system and corrections' role in the justice system, roles of provincial and federal corrections, prison cultures, young inmate issues, female inmate issues, aboriginal inmate issues, community-based justice, institutional security, inmate discipline, staff/inmate relations, substance abuse, professional responsibilities and code of ethics.[7]

Classes for the certificate of achievement obtained after completion of the Induction Training Program are essentially an abridgement of many of the courses in the Correctional Worker Training Program.

The Induction Training Program, which is taught at the correctional centres, focuses on staff and inmate safety and institutional security, and familiarizes candidates with the front-line operation of a correctional centre. Instructors also explain how corrections workers are to incorporate Corrections' mission, values, guiding principles and objectives into their duties.

Of particular interest to the Ombudsman is the course material that addresses the applicability of the rule of law and the duty of fairness in correctional centres.



Of particular interest to the Ombudsman is the course material that addresses the applicability of the rule of law and the duty of fairness in correctional centres. We discovered that nine of the twenty-five modules taught in Induction Training refer to the rule of law and duty of fairness, although these subjects receive the most attention in modules such as Inmate Rights, Discipline Procedures, Role of a Corrections Worker, and Mission, Goals and Principles. Four hours are allocated to the module on Inmate rights, which directly addresses the rule of law and the duty of fairness. Corrections has estimated that several days are spent indirectly addressing the rule of law and duty of fairness.

[7] The list is a summary of the detailed course outline published by SIAST.

Of the eleven major areas of focus in the Corrections Worker Training Program, three are directly related to the rule of law and the duty of fairness, namely, The Rule of Law, The Duty to Act Fairly, and Inmate Rights and Responsibilities. Students spend five days of class time and another five days completing tests and assignments in these three areas. The knowledge gained in these areas is reinforced in the work for the other eight major areas.

Between the Corrections Working Training Program and the Induction Training, we believe the key points regarding the rule of law and the duty of fairness as they apply to corrections work are adequately covered.

Post-employment training

As can be seen, applicants for the position of corrections worker must be highly qualified. Considering the nature of their work, this is as it should be. However, it is not enough to start with high qualifications. Knowledge and skills need to be continually upgraded if corrections workers are to competently do their part in meeting Corrections' objectives. This is proving to be a challenge.

All employees presently employed in the correctional centres have completed the Induction Training Program, but not all employees have completed the Corrections Worker Training Program. As a result, there are varying degrees of understanding of the rule of law and duty of fairness.

Since at least 1998, Corrections has been addressing the need to bring all employees up to an acceptable level of understanding through activities such as workshops, refresher courses, and unit meetings.

Corrections' best estimate is that presently 75% of employees have an understanding of the rule of law and duty of fairness that meets standards, which it believes is a significant increase over prior years. The other 25% would benefit from additional training.

With regard to ongoing training, Corrections is falling short of its own objectives. Both the Corrections Workers Training Program and the Induction Training Program provide a comprehensive and in-depth training on the role and responsibilities of a corrections worker. Corrections augments this with some ongoing training.

Since 1999, Corrections has been paying close attention to its training programs and prepares an annual analysis of its activities to determine if it is meeting its objectives. Corrections is still experiencing some difficulty getting full reports of staff training activity, and consequently, they believe that training activities appear to be fewer than they actually are. Despite this, the data is accurate enough to provide a reasonable indicator of progress.

For comparison, Corrections uses the training benchmarks established by the Conference Board of Canada

BENCHMARK COMPARISON-EXTERNAL

Benchmark	Conference Board Of Canada	Prov. Gov't	Corrections Division
% of staff participating in formal training	70.3%	N/A	72%
# of training days/ employee	5 days	3 days	4.3 days
$ invested/ employee annually	$543	$170	(A) $90.20 (B) $858.47
total $ invested as a % of salaries	1.6%	0.5%	(A) 0.18% (B) 1.31%

Note: (A) Using investment in learning costs only
(B) Using both investment in learning costs PLUS costs of conducting training

and the Provincial Government. The key benchmarks are the percentage of staff participating in formal learning, the number of training days per employee, the dollars invested in training annually per employee, and the total dollars invested as a percentage of total salary and wages.

Although Corrections data may be incomplete, the table on the previous page shows that Saskatchewan Corrections has a way to go to meet the benchmarks set by the Conference Board and the Provincial Government.

Presently, Corrections' training dollars are focused on what it refers to as technical/mandatory training, which includes courses such as CPR/first aid, fire training, case management training, suicide prevention, and occupational health and safety. Far less emphasis is placed on human relations skills such as effective listening, team building, and staff/inmate dynamics.

Given the importance Corrections places on dynamic security, this seems to be out of balance. On the other hand, Corrections does not have unlimited training dollars and is legally obligated to provide many of the courses not related to human relations skills.

Education and training need to be tested or reviewed from time to time to ensure that staff members' knowledge and skills continue to meet standards. Corrections conducts performance assessments on all new employees at five months and eleven months. If any problems are noted, the corrections worker and the supervisor prepare a plan for improvement.

The eleven-month assessment is the last one a new employee will receive, and after this, corrections workers do not receive any performance reviews. As a result, Corrections has no formal way of assessing its training needs, which it must do if it is to meet its objectives for inmates.

Conclusion

In the last several years, Corrections has been placing an increasing emphasis on training generally and the rule of law and duty of fairness specifically. It has achieved significant progress, but there is still room for improvement before it meets the high standards that it has set for all its corrections workers.

To achieve those standards, we believe regular assessments and more ongoing training based on those results will have to be incorporated into its long-range plan.

RECOMMENDATIONS

- Continue efforts to increase the percentage of corrections workers who meet the required standard for knowledge of the rule of law and duty of fairness.
- Implement a process to determine individual corrections workers' training needs.
- Take steps to ensure that training is available to meet identified ongoing training needs.

Staff Training

RECOMMENDATIONS

+ Continue efforts to increase the percentage of corrections workers who meet the required standard for knowledge of the rule of law and duty of fairness.
+ Implement a process to determine individual corrections workers' training needs.
+ Take steps to ensure that training is available to meet identified ongoing training needs

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

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Ombudsman
SASKATCHEWAN

Regina Correctional Centre

Introduction

The building is old, it is not suitable for a modern correctional facility, it's the only facility we have here in Regina so consequently we have no choice but to use it... There is no doubt that the Regina facility, the main facility is old, it needs to be replaced.
Chris Axworthy, Saskatchewan Justice Minister, June 11, 2001, CTV

This section of the review addresses conditions in the main complex of the Regina Correctional Centre, which comprises the following connected structures: Administration Building, Units 1, 2 and 3 cell blocks, link structure (which includes the North G dormitory for short-term inmates), kitchen/ laundry/ boiler room, and gymnasium.

In 1913, there was a strong emphasis on isolation and supervision...the designs of the buildings that make up the main complex do not support current corrections philosophy and arguably work against it.

The Administration Building, Unit 1 and the link structure were built in 1913. Unit 2, which was built in 1962, was the first addition to the original structure. It houses remand inmates and contains additional administration offices. Units 3 and 4, a new kitchen/ laundry/ boiler room, and more administration offices were added in 1964. The New Living Units, which are separate from the main complex, were added in 1988.

Differences in correctional philosophy are reflected in the building design. In 1913, there was a strong emphasis on isolation and supervision. Staff members were referred to as 'guards.' This philosophy persisted until roughly the 1960s. As a result, the arrangement of cells and the design of cells in Units 2 and 3 are not substantially different than in Unit 1. Unit 4 was designed to be more open, with the cells on the outside walls and a large common area between the two rows of cells.

By 1980, Corrections had adopted the Living Unit concept, which was reflected in the newly constructed correctional centres in Saskatoon and Prince Albert. Staff members were now called "corrections workers." The cells for general population inmates in these two centres have doors instead of bars, common areas are larger, and the arrangement of cells in a circle around a central control area facilitates more interaction between staff and inmates. In 1988, three new living units were added to the Regina centre, all built along the same lines as units in Saskatoon and Prince Albert.

Current correctional philosophy in Saskatchewan emphasizes rehabilitation through programming and reintegration into society through normal living routines in the correctional centres. Corrections workers' responsibilities are no longer restricted to supervising inmates and now include ensuring that inmates are directed to appropriate programming and receive any other supports that are necessary for rehabilitation. This requires much more communication and contact than was previously the case. The new living units are designed to facilitate normal living routines and increased interaction between corrections workers and inmates. As will be seen, the designs of the buildings that make up the main complex do not support current corrections philosophy and arguably work against it.

The facilities in which inmates live can adversely affect the institution's rehabilitative efforts and can also affect inmates' willingness to cooperate

with those rehabilitative efforts. A facility that seems punitive because of its starkness and lack of amenities sends a mixed message to inmates regarding whether they are being punished or rehabilitated. Furthermore, facilities that inhibit staff members' interaction with inmates, have inadequate space for classrooms, and compromise inmate safety compromise Corrections' ability to provide effective rehabilitative programming. The main complex of the Regina Correctional Centre falls short in all of these areas.

Cell Blocks

The four cell blocks in the main complex differ in age and design. While there are problems that are common to all four, there are also significant differences. To better emphasize the problems unique to each cell block, each one is discussed separately.

Unit 1

Unit 1, which consists of four levels of cells, is the oldest cell block in the main complex. Unit 1 shows signs of its age and inappropriateness as a modern correctional facility more than the other three units in the main complex.

Ventilation is poor and, according to a 1998 report by a private consultant, does not meet Occupational Health and Safety Regulations.[1] There is no insulation in the walls, and the heating system needs upgrading. None of the windows open, and as a result, temperature control is poor.

Inmates complain that the cells are too cold in the winter and too hot in the summer. The washers and dryers at the end of each corridor are not vented to the outside, which results in excessive humidity and objectionable odours.

Corrections workers in Unit 1 occupy offices at the end of each corridor. This provides a direct line of sight down the corridor but not into the individual cells. Because of the length of the corridor and inadequate lighting, staff members in the office cannot clearly see what is going on at the end.

Visibility is particularly bad in 1E and 1F. The corridors on both these units are catwalks about four feet wide. If inmates are using the phone at the front of the corridor, it is not possible for staff to see down to the end. Furthermore, the common room at the end of the corridor is somewhat concealed from view by the bars along the corridor. The poor visibility and inability to see directly into inmates' cells or the common room increases the vulnerability of both staff members and inmates.

The toilets and sinks in Unit 1 are primarily vitreous china. Because of their age, many are cracked and stained. In the high security units, they are occasionally smashed and used to break through walls or to fashion weapons.

Drains from the toilets run into several interceptors that are designed to catch large objects such as blankets and pillowcases that would obstruct the line. It is not an uncommon occurrence for these interceptors to overflow, which results in a stench being spread throughout the entire unit.

The plumbing and electrical tunnel that runs down the length of Unit 1 between the two rows of cells on each floor has been accumulating dust and other debris on the pipes and wires for decades. Air that is vented into the inmates' cells passes through the tunnel, and the health risk this poses is considerable.

The electrical system for Unit 1 was last updated in 1964 and is now barely adequate. Because of the risk of overloading the system, the centre cannot provide inmates with microwaves or toasters, which are provided to inmates in the newer units. While this may seem to some to be a small matter, it is one more instance of the

[1] Internal document, prepared by private consultant, 1998.

deprivations in Unit 1 that inmates in the newer units do not face.

The cell locks in Unit 1 are the original locks, and parts have long since ceased to be available. When a lock fails, replacement parts have to be manufactured. The danger in this situation is that no one knows when a lock is going to fail. In 2001, an inmate committed suicide in Unit 1 and staff could not get inside the cell because the lock failed. In this instance the inmate had already died, but in another instance, such as a suicide attempt, fire or medical emergency, a failed lock could well be the difference between life and death.

In the newer units, inmates enjoy at least limited privacy in their cells. In Unit 1 there is very little privacy. All of the cells have bars across the front, which facilitates visual monitoring but provides no privacy. This is degrading and humiliating for inmates who can be observed while they are using the toilet or changing their clothes, sometimes by female staff.

The situation is worse in the East G high-security cells. In response to the problem of inmates throwing things (soup, coffee, urine, feces) at the corrections staff, plexiglas sheets were attached to the front of the cells in the winter of 2001. This solved one problem but has created others. Air circulation was poor to begin with and is now worse. It remains to be seen what effect high temperatures will have. Nurses can no longer pass medication through the bars and watch the inmates to make sure they swallow them. Nurses either have to reach below or above the plexiglas, and there is sufficient unobserved time for an inmate to hide his medication. Finally, the plexiglas is already showing signs of wear, which makes it difficult to see inside the cells.

Staff interaction with inmates is an integral part of Corrections' rehabilitative plan. In Unit 1, the opportunities for interaction are limited. For security purposes, two staff members supervise one side of each level of cells. Once every hour, one of the workers walks down the unit to make sure everything is okay inside the cells, while the other waits at the end gate in case anything happens.

The corrections worker walking the corridor could talk to inmates, but the barred cells and narrow corridor leave little room for private conversations.

Conditions on Unit 1 are bad enough for inmates who are allowed several hours out-of-cell time to visit, make phone calls, or exercise, but on the East G, West G, and 1B units, inmates are confined to their cells for 23 ½ hours per day. Besides bordering on cruelty, this violates the United Nations Standard Minimum Rules, which call for a minimum of one hour of exercise in the open air each day.

Unit 2

Although Unit 2 is fifty-one years newer than Unit 1, conditions are scarcely any better and some are worse. To the centre's credit, the utilities tunnel was thoroughly cleaned of dust and debris in early 2002. However, Unit 2 shares the same problems with ventilation, temperature control, privacy, overflowing interceptors, absence of exhaust vents for washers and dryers and barred cells. Visibility and staff interaction with inmates is arguably worse. Unit 2 is a rectangular structure with three levels of cells on one side separated by a wall from offices on the other side. Access to the three levels is by scissor stairs that have a small landing at each level. There is no room for staff on the landing without blocking the

stairs so staff occupy one of the offices on the other side and watch inmates remotely through video monitors. Once every hour, one of the two staff members who supervise this unit walks down each corridor, while the other stands at the end. In these circumstances, there is almost no interaction between staff and inmates and staff are limited in their ability to supervise the inmates. The video monitors do not permit a clear view of the end of each unit, and trying to watch three video monitors quickly results in fatigue. There is the added problem that when staff members are walking the corridors, two of the units are unsupervised. We commonly get complaints from remand inmates that they are being threatened or bullied by other inmates. The centre is aware of the problem, but short of building a new facility is limited in its ability to resolve it.

Unit 3

Unit 3 also has problems with temperature control (although not as bad as Unit 4), visibility, privacy, no exhaust vents for the washer or dryer, and limited opportunity for private conversations between inmates and staff.

Unit 4

Unit 4 was no doubt considered progressive when it was built in 1964, but due to design problems is now used only as a last resort.

None of the cells have toilets; showers and toilets are in a common area. If inmates were always free to come and go from their cells this would not present a problem, but cells are locked at night and there are often times when the entire unit has to be locked down for an investigation. In these circumstances, inmates have to ask staff for permission to use the washroom. Some requests are legitimate, while others are not. This game inevitably raises tensions.

There is no insulation in the walls of Unit 4, and the cells are built above a six-foot overhang. As a result, temperature control is almost impossible. Temperature can get so extreme in the cells that the centre has written policy making an exception to the rule that cells are to be locked at night. When it is particularly cold or hot outside, the cell doors are left open to allow the cells to cool or warm to the inside temperature.

North G

The North G dormitory in the basement of the Main Complex houses short-term inmates and a few who are completing the last few weeks of their sentence. In 2000, pictures of the unit were published in the press, revealing deplorable conditions.[1] The director did not deny the conditions that were depicted. The picture showed walls that were crumbling and badly in need of paint, and a former inmate reported that bugs and rodents were common sights on the unit. Since then, the centre has repaired the walls and painted the unit.

Despite the improvements, however, it still reminds one of a basement cellar. The few windows in the unit are high on the wall, providing a view of the wall of the Remand Unit and the sky. Lighting is poor and privacy is extremely limited.

[1] Mike O'Brien, "Criticism of Regina Jail Continues," *Leader Post* (June 16, 2000).

Interaction with staff is minimal. Since inmates in this unit are serving short sentences there are essentially no programming opportunities for them. Inmates in North G are basically being warehoused for the duration of their sentences.

Vermin

Prior to 2002, we commonly received complaints about rodents and bugs in the main complex and there were occasional reports in the media. At this point, we do not know if the reports were exaggerated but we do know that the centre was having problems with cockroaches, mice and rats. To the centre's credit, it launched a major cockroach reduction effort in 2001, which included bringing in an exterminator once a month. It also started providing all units with mousetraps.

Complaints about rodents and mice have dropped substantially, although some complaints will no doubt continue. The facility is located in the middle of agricultural land about one mile east of the city landfill and there are many entrance points in the old buildings for bugs and rodents.

Fire/Emergency Preparedness

With respect to the National Fire Code, several deficiencies have been identified in the main complex. There is no sprinkler system, except over the ranges in the kitchen. The Code calls for smoke detectors in all the cells and corridors but there are none. The main complex does not have an alarm system that meets National Fire Code specifications.

The Code calls for at least two exits on all the corridors, yet the corridors have only one exit. To make matters worse, the washer and dryer are often located just inside the exit. This is the most likely place for a fire to start, and there is a risk the fire could block the exit. Fire barriers that are designed to prevent or inhibit the spread of fire from floor to floor or room to room are absent.

Despite the glaring deficiencies, Corrections is not violating the Code, as it does not apply retroactively. Generally speaking, the buildings that make up the main complex only have to comply with standards that were current when they were built. There are exceptions in the case of obvious hazards, and renovations or additions must comply with the Code.

A closer examination reveals a facility that no longer meets acceptable standards. Rather than assisting Corrections' rehabilitative efforts, the facility hinders them.

Fortunately, the situation is not quite as bad as it appears. To meet the deficiencies in fire safety, the Regina Correctional Centre, in cooperation with the Provincial Fire Commission, has established a fire safety plan that the Commission describes as excellent. At present, the Commission is satisfied that notwithstanding the condition and design of the Main Complex, the fire safety plan raises the level of fire safety to a level that is acceptable to the Commission.

Nonetheless, even the best planning can fail in the face of panic. And if the planning fails, the result could be very grim.

COMMENDATION

- For recognizing and addressing fire safety risks through the development of a fire safety plan.

Building conditions

According to a report prepared by a private consultant for the Saskatchewan Property Management Corporation in 1998, none of the buildings that make up the main complex met the standards set by *The Uniform Buildings and Accessibility Standards Act* and *The National Building Code 1995*. The report discusses many deficiencies pertaining to plumbing, electrical, mechanical, and structural systems.

In many cases, systems have passed their expected life span and no longer meet standards. Conditions in the part of the facility built in 1913 have deteriorated to the point that the study recommends replacement of the entire structure as more cost effective than renovations. The cost of renovations to bring the main complex up to current standards was estimated at approximately eleven and a half million dollars.

There has been a recent and significant improvement to the kitchen facilities which deserves special mention. Corrections, with guidance from the departments of Health and Labour, bought new equipment and brought the kitchen facility up to current building and health standards. This project was undertaken in 2001.

COMMENDATION

- For bringing the kitchen up to current building and health standards.

Conclusion

Even a casual observer of conditions in the main complex of the Regina Correctional Centre can not help but be struck by the oppressive atmosphere created by clanging metal gates, barred cells, overcrowding, chipped and peeling paint, poor lighting and cramped quarters on the units. This is compounded by the inevitable increase in tension that results when staff and inmates are forced by the nature of the facility's design to limit their interaction.

A closer examination reveals a facility that no longer meets acceptable standards. Rather than assisting Corrections' rehabilitative efforts, the facility hinders them.

We believe that in fairness to both staff and inmates and in the best interests of public safety, the facility should either be brought up to current standards or replaced.

COMMENDATION

- For the Regina Correctional Centre's genuine effort to comply with progressive correctional philosophy despite the challenges presented by inadequate and inappropriate facilities in the [illegible] part of the centre.

RECOMMENDATION

- Bring the Main Complex of the Regina Correctional Centre up to current building standards or build a new facility.

Regina Correctional Centre

RECOMMENDATION

+ Bring the Main Complex of the Regina Correctional Centre up to current building standards or build a new facility.

COMMENDATIONS

+ For recognizing and addressing fire safety risks through the development of a fire safety plan.
+ For bringing the kitchen up to current building and health standards.
+ For the Regina Correctional Centre's genuine effort to comply with progressive correctional philosophy despite the challenges presented by inadequate and inappropriate facilities in the old part of the centre.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

October 2002

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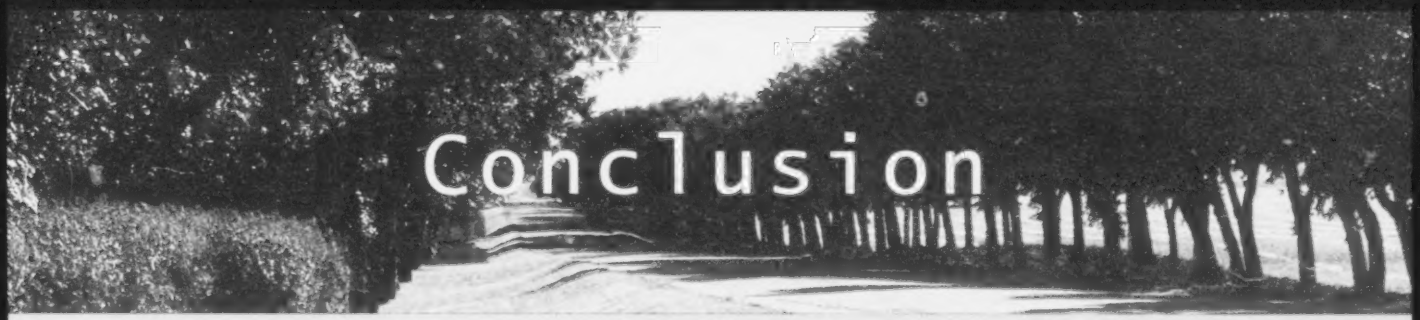

Conclusion

Ombudsman SASKATCHEWAN

In the face of increasing pressures on available bed space, out-of-date buildings, and finite resources, we believe Corrections is doing a credible job. On the whole, Corrections employees are genuinely interested in meeting their responsibilities to help inmates address their criminogenic and other needs. To be sure, though, there is room for improvement.

The safety of Saskatchewan communities depends in no small part on Corrections' ability to provide appropriate conditions of custody and effective rehabilitative services. How well inmates will function in the community will depend in some part on their experience in jail.

Ideally, we want to ensure that no opportunity to help inmates become law-abiding citizens is missed. Contrary to what some may believe, research has shown that a negative experience in jail can actually increase the chances of an inmate reoffending. Consequently, Saskatchewan's citizens have a vested interest in the success or failure of Corrections' efforts to rehabilitate and reintegrate inmates.

The review had three objectives that were described in the terms of reference:

To establish a collaborative relationship with all major stakeholders to ensure that the review is accepted as meaningful by those interested in the issues and to encourage a process whereby, in the future, substantive issues are addressed in a timely and non-adversarial manner between the Ombudsman and Corrections with the common objective of providing professional and fair treatment for all inmates.

To determine the source of recurring and substantive issues that have been the focus of numerous ombudsman investigations with a view to recommending changes to legislation, policy and practice as they pertain to the treatment of inmates to ensure that inmates are treated with the respect and dignity to which they are entitled.

To develop a comprehensive set of principles that will guide decision-makers.

We believe we have achieved all three objectives. In fact, the opportunity to work closely and collaboratively with Corrections on the many issues that have been addressed in this report has proven to be invaluable in helping create an atmosphere of understanding and respect for each other's responsibilities and limitations.

SPECIAL REPORT

Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

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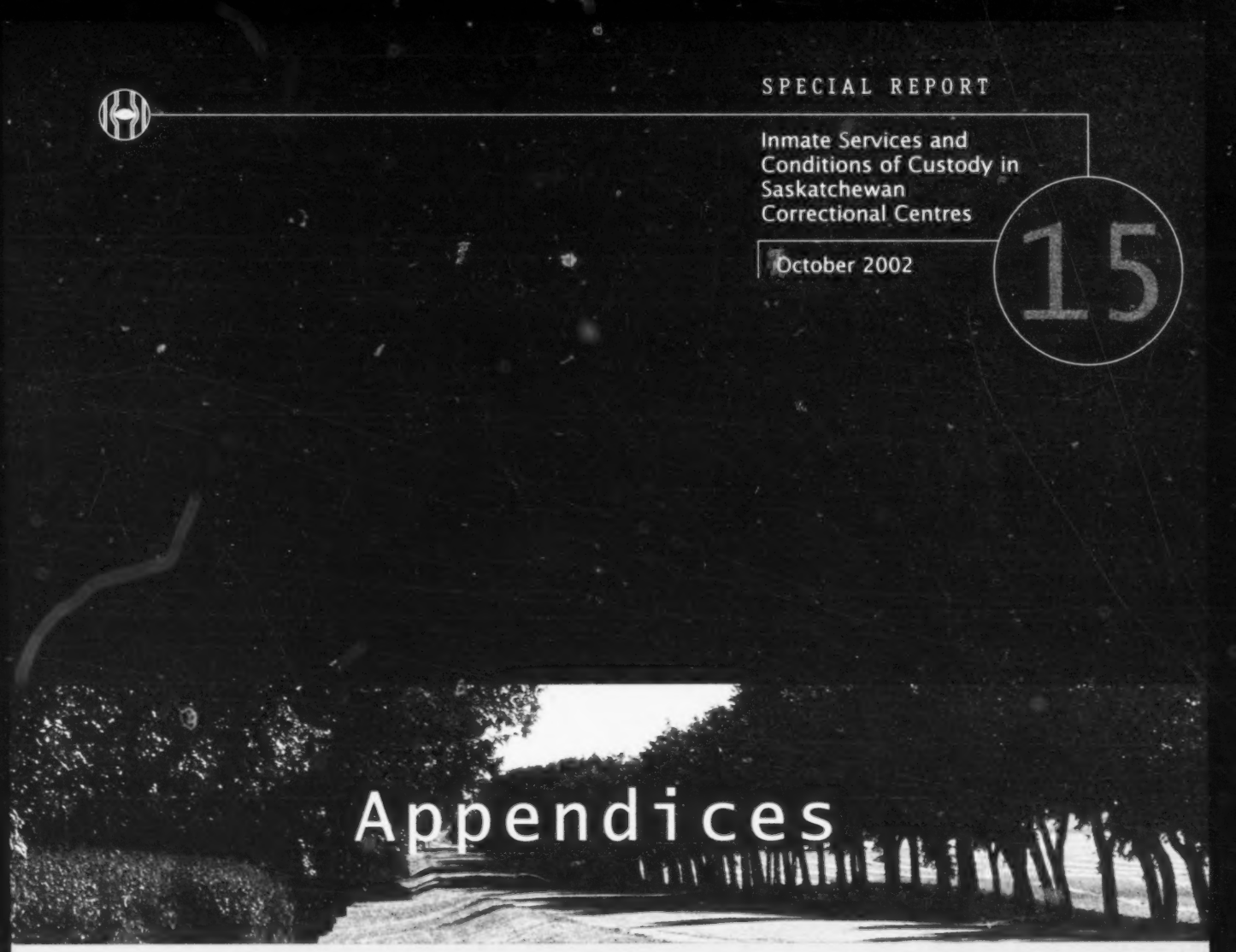

Appendices

Ombudsman SASKATCHEWAN

Summary of Recommendations

Bed Space

Incarcerate all inmates at the centre nearest their home geographic area.

Provide concessions to inmates who are incarcerated outside their home geographic area to compensate for their isolation. For example, subsidize long-distance phone calls and travel expenses, and increase visiting privileges.

Limit the time that an inmate is incarcerated away from his or her home area.

Inmate Living Conditions

Discontinue placing inmates in cells with no natural light, except as a temporary response to emergency bed space demands.

Ensure that special diets are comparable in quality and variety to the regular diet.

Provide all inmates with a minimum of one hour of meaningful exercise daily, not including time spent on personal hygiene, cell cleaning or other activities.

Comply with the requirement for annual fire inspections at all centres.

Include a section on emergency procedures in an inmate handbook.

Ensure that when inmates are stripped, it is done with minimum affront to their dignity and is not witnessed by members of the opposite sex, either directly or indirectly.

Draft policy to facilitate communication between newly admitted inmates and their family members or close relatives, preferably on the first day of incarceration.

Draft policy advising corrections workers that they have the discretion to let inmates use the staff phone if they cannot make a collect call.

Ensure that both policy and practice recognize the special circumstances of inmates serving their first few nights in jail.

Take steps to eliminate the need for double-bunking and dormitories.

Supply privacy screens for all toilets in cells.

Screen incoming mail with the intended recipient present, unless that would be a security risk.

Provide remand inmates in the Regina Correctional Centre with better access to a private telephone line.

Address the issue of blind spots on the second floor in Units 1, 2, and 3 in Prince Albert and Units A, B, and C in Saskatoon.

Deal with the line-of-sight problems down cell corridors in Pine Grove and Regina.

Tend to the design problems on Unit 4 at the Regina centre.

Address the substandard conditions in East and West G in the Regina Correctional Centre.

Address the plumbing problems at Pine Grove.

Take steps to bring temperature fluctuations in Pine Grove and the old part of the Regina centre within reasonable limits.

Inmate Living Conditions (cont.)

Maximize visiting hours for all inmates, with due consideration to security.

Minimize the use of blanket policies that restrict visiting privileges for all inmates when only some inmates' behaviour warrants restrictions.

Establish a reporting system that will improve Corrections' ability to objectively determine the volatility of its correctional institutions.

Establish reliable and objective statistical criteria on drug use in the correctional centres to serve as the base for a drug interdiction strategy.

Ensure that sufficient resources are available for ongoing training of the crisis management teams.

Acquire portable radios that enable direct communication with fire and police for all centres.

Provide work, education or training opportunities for all eligible inmates.

Continue to identify and implement measures to discourage gang membership and avoid gang activity.

Develop programming to help inmates end their gang involvement.

Inmate Property Control

Except where differences can be reasonably justified, standardize personal property allowances in the four centres.

Develop policy addressing handling of escaped inmates' property.

Search the cell before an inmate occupies it for the first time or supervise the search when an inmate searches his or her cell before occupying it for the first time.

Develop policy addressing procedures to be followed when an inmate claims his or her property is missing.

Ensure that inmates are aware that they can report suspected theft to the police.

Ensure that all documentation regarding inmate property is always completed properly.

Programming

Provide effective programming to inmates with mental or learning disabilities comparable to the programming available to other inmates.

Use public education programs to emphasize the need to help inmates adjust to a law-abiding and productive lifestyle, and the consequent benefit to everyone in the community.

Secure sufficient resources to implement the strategic correctional program plan.

Case Management

Emphasize the need to complete an inmate's case plan as soon as possible, preferably within the first week following admission.

Provide case management and programming to inmates in segregation.

Offer case management and programming to remand inmates.

Summary of Recommendations

Medical Services

■

Ensure inmates are aware of the medical services available to them and how to obtain them.

Inform inmates that they have the right to contact the College of Physicians and Surgeons if they disagree with the medical care they are receiving.

Provide a detoxification program comparable to what is available in the community.

Take steps to reduce the waiting time for dental treatment to something close to the waiting time in the general community.

Ask all inmates during the admission process whether they require accommodation for a disability.

Examine the accommodations for disabilities presently provided to ensure that they comply with the duty to accommodate under the Saskatchewan Human Rights Code.

■

Explain clearly in policy and in workshops under what circumstances corrections workers and medical staff are permitted to share information, and what the limits and rules are.

Permit inmates who would otherwise be eligible for the methadone program to participate while they are incarcerated.

Address the conflict that exists between inmates' needs to protect themselves from contagious disease, such as tuberculosis, and the individual inmate's right to privacy.

That all centres ensure the Pharmaceutics and Therapeutics Committee is operating and that the provisions for services in the pharmaceutical contracts are utilized.

■

Consult with aboriginal and Métis groups to determine the most effective way to deliver health care services that respect aboriginal traditions.

■

Establish a single authority with the required expertise to oversee the delivery of medical services.

Create detailed provincial guidelines for the treatment and management of communicable disease.

Ensure that all inmate transfers include consultation with nursing staff so that medical needs are addressed and communicated to the receiving centre.

Perform regular audits to ensure compliance with medical policy.

Provide all inmates with both written and verbal information about communicable diseases.

Remove restrictions, explicit or implied, on the drugs that physicians and dentists can prescribe.

■

Provide all staff members with regular refresher courses on the management of inmates with communicable diseases.

Take steps to address the staffing problems reported by the nursing units.

Provide nurses with more opportunities for continuing education in both nursing and corrections.

Offer contracted medical professionals training to familiarize them with the challenges they will face practicing medicine in a correctional environment.

Establish a comprehensive, province-wide medical database that could be shared by medical staff in the four correctional centres.

Obtain professional advice on the state and suitability of existing medical equipment.

■

Improve inmate access to mental health professionals.

Enhance programming designed to meet the mental health needs of the inmate population while they are incarcerate and after they are released.

Suicide and Self Injury

Allow inmates a minimum of one hour of physical exercise every day, with access to exercise equipment, outdoors if possible.

Ensure through policy and training that corrections workers do not dismiss self-harming behaviour as manipulative without good reason.

Continue to improve the living environment in the correctional centres.

With due regard to safety security concerns, ensure that all inmates are occupied in meaningful activities during the day.

Emphasize the importance of the role that all corrections employees play in inmates' lives.

Have nurses complete a suicide risk assessment upon admission and at other high-risk times, such as following the death of someone close or the breakdown of a significant relationship.

Emphasize the need for corrections workers to continue to consider the motivation behind inmate behaviour and to recommend treatment for inmates experiencing emotional distress whenever possible.

Encourage the discipline panel to consider treatment as an option to punishment when the inmate's behaviour is the result of emotional distress.

Increase phone and visiting privileges for suicidal inmates to allow them better access to family and community supports.

Designate a representative from each centre to meet with the survivors of deceased inmates.

Bring the living environment in all four centres up to equivalent standards.

Revise policy to state that isolation is to be used only as a last resort in suicide prevention.

Expose suicidal inmates who have to be segregated and closely observed to as much human contact as possible, and allow them as much freedom of movement as possible to minimize their sense of isolation.

That Corrections offer refresher training in suicide prevention to ensure that all staff members have training that is up to date.

Prepare a booklet explaining the role of volunteers for the peer support program.

That Corrections provide all caseworkers with standardized guidelines to follow for inmates who have been recently treated for suicidal risk.

Develop policy and procedures for staff to follow if they discover a suicide victim.

Summary of Recommendations

Discipline

Ensure that all inmates have ready access to *The Correctional Services Act* and Regulations and are aware of the procedure for obtaining it.

Ensure that the imposition of sanctions is in accordance with the regulations.

Include "adjournments at the request of the inmate" in the list of permitted reasons for adjournments on the discipline charge report.

Ensure that discipline panels advise inmates that if they are not ready to proceed, they have the right to request an adjournment.

Encourage inmates to make representations regarding guilt and sentencing.

Document the reasons for the discipline panel's decision in detail, including in writing on the charge report, and provide a copy of this information to the inmate.

Afford inmates appearing before discipline panels the opportunity to be represented by an agent, including an agent chosen from among other inmates.

Explore the willingness of appropriate non-government agencies to provide competent representation for inmates appearing before discipline panels.

Amend the regulations as necessary to ensure orderly and timely proceedings and to accommodate representation by an agent.

Restructure the membership of discipline panels so that they are entirely or at least partly composed of members who are not employees of Corrections, or at least not Correctional Centre staff members.

Ensure that subdelegation of discipline panel membership ceases.

Clarify the decision-making process to be followed by the discipline panel members in the regulations.

Ensure that discipline panel members are aware of their responsibility to verify that charges are specific and appropriate and that inmates are provided with full and clear information that identifies the specific incident and charge prior to the discipline panel hearing.

Clarify in policy the expectations and standards for a full and fair hearing and thorough and objective inquiry.

Adopt "beyond a reasonable doubt" in policy as the standard for discipline panel decisions.

Emphasize the need for directors to provide inmates with full reasons for appeal decisions.

Take steps to ensure that appeal responses meet time requirements.

Amend the voluntary sanction form presently in use to include an admission of guilt.

Cease imposing group sanctions.

Discontinue the use of cancellation of earned remission as a sanction for disciplinary offences unless some or all of the members of the panel who are not correctional centre employees have appropriate legal training.

Examine the disciplinary process and consult with aboriginal groups to determine if changes are necessary to meet the special needs of aboriginal inmates.

Ensure that all panel members are appropriately trained and qualified to adjudicate matters involving loss of liberty.

Examine the current discipline panel procedures with the goal of increasing inmate confidence in the discipline process.

Segregation

Provide all segregated inmates with a minimum of one full hour of quality physical exercise, including access to exercise equipment.

Ensure that inmates are provided meaningful and detailed reasons for placement in segregation.

Provide inmates with the evidence that will be considered by the security review panel.

Give inmates sufficient time to consider the evidence that will be considered by the security review panel.

Allow inmates to address the security review panel in person or in writing prior to their deliberations.

Allow inmates appearing before a security review panel the opportunity to be represented by counsel or an agent, including an agent chosen from among other inmates.

Explore with appropriate non-government agencies their willingness to provide competent representation for inmates appearing before security review panels.

Appoint an independent, outside adjudicator to review decisions regarding segregation and continued segregation.

Follow the same criteria for making the decision to continue to segregate an inmate as was followed in the initial decision to impose segregation.

Provide full reasons for the security review panel's decisions, unless doing so would compromise security interests.

Make decisions to implement an alternative to segregation in accordance with the principles of fundamental justice.

Prepare a handbook for segregated inmates explaining the rules, rights and expectations in segregation.

Allow segregated inmates to make at least one personal call daily.

Provide the opportunity for segregated inmates to make phone calls during a time other than their exercise period.

Ensure that property allowances in the segregation units of the four centres are reasonably equivalent and as generous as possible.

Provide segregated inmates in all four centres the opportunity to shower daily if they wish.

Increase the frequency of security review panel hearings for a segregated inmate to once a week.

Provide segregated inmates with programming and privileges consistent with Corrections' policy of least restrictive measures.

Provide inmates segregated for non-disciplinary reasons with rights and privileges equivalent to those they would receive in the general population, to the extent reasonably possible.

Use the segregation unit for overflow living space only when absolutely necessary in the event of an emergency.

Take steps to enable segregated inmates waiting for cell vacancies in the general population to participate in programming and have privileges in keeping with their right to be part of the general population.

Keep records on the use of segregation that can be used for statistical analysis.

Provide programming to segregated inmates tailored to their specific needs.

Ensure that a release plan is prepared for each segregated inmate that enables him or her to work toward definite goals, and minimizes the indefiniteness of their stay in segregation.

Summary of Recommendations

Remand Inmates

Resort to double-bunking for remand inmates only as an extraordinary, temporary measure in response to an emergency until other accommodation can be found.

Draft policy addressing protocol for the reception of remand inmates that emphasizes the need to balance professional vigilance with compassionate support.

Take steps to minimize the risk of harm to inmates in transit.

Standardize phone privileges in the four centres.

Provide remand inmates in Regina with better access to a private line for phone calls.

Standardize out-of-cell time for remand inmates in the four centres.

Maximize the exercise time available to remand inmates and, to the extent possible given the differences between the physical structures of the four centres, standardize the available exercise time.

Offer case management and programming to remand inmates, especially those serving extended periods of time on remand status.

Develop policy addressing the need to help remand inmates retain employment and accommodation.

Maximize visiting allowances for remand inmates, especially those serving longer periods on remand status.

Staff Training, the Rule of Law and the Duty of Fairness

Continue efforts to increase the percentage of corrections workers who meet the required standard for knowledge of the rule of law and duty of fairness.

Implement a process to determine individual corrections workers' training needs.

Take steps to ensure that training is available to meet identified ongoing training needs.

Regina Provincial Correctional Centre

Bring the Main Complex of the Regina Correctional Centre up to current building standards or build a new facility.

Terms of Reference

Since the creation of the Office of the Provincial Ombudsman 25 years ago, the Corrections Branch of the Department of Justice has been the source of a large number of complaints. Many of the issues brought to our notice via investigation of these individual complaints have been addressed on an individual basis. While this has been effective in promoting fairness in the delivery of inmate services, its *ad hoc* nature has often limited its effectiveness to those specific complaints. Many of the issues are serious and recurring; their review on an individualized basis cannot give the broad perspective available from a comprehensive review.

With agreement in principle from the Department of Justice, the Provincial Ombudsman's office will undertake a major systemic review of the administration of correctional centres in the province of Saskatchewan. Such an investigation will provide an opportunity for the Corrections branch of the Department of Justice, other major stakeholders, and the Ombudsman to consider recurring and substantive issues from a broad perspective.

In this review, it is not our intention to examine Corrections' operations with a view only to identifying and commenting on shortcomings in the system. Corrections deserves to be commended for its efforts in improving inmate services and conditions of custody and we do not intend, by undertaking or in the course of this review, to diminish its signal accomplishments. Rather, our intention is to use the knowledge and expertise of my office in collaboration with the knowledge and expertise of Corrections to further our common goal of ensuring that inmates are accorded the dignity, respectful treatment and rights to which they are entitled.

That our goals are compatible is evident in the Ombudsman's Mission Statement and Corrections' Guiding Principles.

Two of the principles that guide all programs and services provided by Corrections are

In addition to Corrections playing a principal role in providing information and feedback, we also plan to involve other major stakeholders to ensure that all those affected by our review will have a reasonable opportunity to provide us with their concerns and perspectives. In alphabetical order, the following have been identified as potential stakeholders: Correctional Centre line staff and managers, Correctional Service of Canada, Elders and Chaplains, Elizabeth Fry Society, Health Care Practitioners, Inmate Committees, FSIN, John Howard Society, Métis Nations.

The authority for the review comes from section 12 (1)(2) of *The Ombudsman and Children's Advocate Act*, which states:

> *(1) It is the duty of the Ombudsman and he has the power to investigate any decision or recommendation made, including any recommenda-*

[1] Provincial Ombudsman, Mission Statement
[2] Corrections, Strategic Plan, Statement of Principles, p. 5

tion made to a minister, or any act done or omitted, relating to a matter of administration and affecting any person or body of persons in his or its personal capacity, in or by a department or agency of the government or by any officer, employee or member thereof in the exercise of any power, duty or function conferred or imposed on him by any Act whereby any person is or may be aggrieved.

(2) The Ombudsman may make an investigation of a matter either on a written complaint made to him by any person or of his own motion and he may commence an investigation notwithstanding that the complaint may not on its face be against a decision, recommendation, act or omission mentioned in subsection (1).

The review will focus on specific policies and practices at the Regina, Saskatoon, Prince Albert and Pine Grove Correctional Centres.

The Ombudsman and Children's Advocate Act. Section 24 (1) authorizes me to consider any matter using the following criteria:

(a) that a decision, recommendation, act or omission that is the subject matter of the investigation appears to have been.

(i) contrary to law
(ii) unreasonable, unjust, oppressive, improperly discriminatory or was in accordance with a rule of law, a provision of an Act, or a practice that is or may be unreasonable, unjust, oppressive or improperly discriminatory;
(iii) based in whole or in part on a mistake of law or fact;
(iv) wrong;

(b) that in making a decision or recommendation, or in doing or omitting an act, a power or right has been exercised:

(i) for an improper purpose
(ii) on irrelevant grounds; or
(iii) on the taking into account of irrelevant considerations, or

(c) that reasons should have been given for a decision, recommendation, act or omission that was the subject matter of the investigation.

An Ombudsman is not restricted to examining decisions with reference to the law only. The Ombudsman is charged with determining if a decision is "fair"- a much broader concept. Consequently, owing to the subject matter of the review, we also will be comparing Corrections policies and practices to inmates' rights as articulated in the United Nations Universal Declaration of Human Rights, with special reference to the Standard Minimum Rules for the Treatment of Prisoners (31 July 1957), the Body of Principles for the Protection of all Persons Under any Form of Detention or Imprisonment (9 December 1988), and the Basic Principles for Prisoners (14 December 1990). Although these agreements have no force in a court of law, Canada is a signatory to the agreements and Corrections can therefore be expected to comply. The Charter of Rights and the federal and provincial Human Rights Acts will also be considered.

All major stakeholders will be given an opportunity to participate in the review.

Corrections is responsible for ensuring that inmates with special needs, such as First Nation and Métis

Terms of Reference

inmates, are accommodated to improve their chances of being successfully reintegrated into society.

Corrections is responsible for ensuring that inmates are treated with respect for their dignity and rights.

Corrections is responsible for providing a safe and healthy environment for both staff and inmates.

Inmates are expected to be responsible for anti-social behaviour, and are responsible for becoming law abiding citizens.

Corrections is responsible for ensuring that each inmate receives assistance in rehabilitation and reintegration into society.

Correctional Services is responsible for providing an equal level of service to inmates irrespective of geographic location of a facility.

The United Nations rules, principles and standards, will be an important guide in determining the fairness of correctional centre services and practices.

To establish a collaborative relationship with all major stakeholders to ensure that the review is accepted as meaningful by those interested in the issues and to encourage a process whereby, in the future, substantive issues are addressed in a timely and non-adversarial manner between the Ombudsman and Corrections with the common objective of providing professional and fair treatment for all inmates.

To determine the source of recurring and substantive issues that have been the focus of numerous ombudsman investigations with a view to recommending changes to legislation, policy and practice as they pertain to the treatment of inmates to ensure that inmates are treated with the respect and dignity to which they are entitled.

To develop a comprehensive set of principles that will guide decision makers.

Conditions of Custody

Assessment of use of segregation

Assessment of discipline process

Assessment of living conditions - Remand and Sentenced

Assessment of staff's understanding of rule of law, duty to act fairly, and inmate rights

Assessment of inmate safety, including drugs and gangs

Assessment of bedspace availability and location

Offender Services

Assessment of case management system and practices

Assessment of correctional centre based programs

Assessment of programming for aboriginal inmates

Assessment of medical services available to inmates

Assessment of inmate property control

Assessment of staff training as it relates to provision of inmate services

Assessment of incidence of suicide and self injury

Assessment of services to remand inmates

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580: Discipline of Inmates
590: Administrative Segregation
597: Disciplinary Segregation
700: Case Management
701: Case Management Special Needs of Federal Female Offenders
702: Aboriginal Programming
726: Management of Correctional Programs
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